



**Iowa General Assembly**  
**Daily Bills, Amendments and Study Bills**  
**April 16, 2014**

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Senate File 2232

H-8281

1 Amend Senate File 2232, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 2, by striking lines 25 through 27 and  
4 inserting <the fund shall be established by the  
5 department by rule.>

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WORTHAN of Buena Vista



Iowa General Assembly  
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House File 2465

H-8282

- 1 Amend House File 2465 as follows:
- 2 1. Page 2, by striking lines 25 through 27 and
- 3 inserting <the fund shall be established by the
- 4 department by rule.>

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WORTHAN of Buena Vista



Iowa General Assembly  
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House File 2471 - Introduced

HOUSE FILE 2471  
BY COMMITTEE ON WAYS AND MEANS  
  
(SUCCESSOR TO HF 2430)

A BILL FOR

1 An Act relating to the Iowa individual income tax checkoffs by  
2 modifying the Iowa election campaign income tax checkoff and  
3 providing for the future repeal of the checkoff, by creating  
4 an income tax checkoff for the reduction of food insecurity  
5 within this state and providing for the future repeal of  
6 the checkoff, making an appropriation, creating a study  
7 committee, and including effective date provisions.  
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I  
2 INCOME TAX CHECKOFF FOR IOWA CHECK OFF HUNGER FUND  
3 Section 1. NEW SECTION. 231.67 Iowa check off hunger fund.  
4 1. An Iowa check off hunger fund is created in the state  
5 treasury under the control of the department. The fund is  
6 composed of moneys appropriated or available to and obtained  
7 or accepted by the treasurer of state for deposit in the fund.  
8 The fund shall include moneys transferred to the fund pursuant  
9 to an income tax checkoff provided in chapter 422, division II,  
10 if applicable. Notwithstanding section 12C.7, subsection 2,  
11 interest or earnings on moneys in the fund shall be credited to  
12 and remain in the fund. Section 8.33 does not apply to moneys  
13 in the fund.  
14 2. Moneys in the fund are appropriated to the department  
15 to provide grants to persons to be used for the purpose of  
16 reducing food insecurity within the state. The grants shall  
17 be awarded as follows:  
18 a. Forty percent of the moneys in the fund shall be  
19 awarded to a nonprofit, tax-exempt association, chosen by the  
20 department, that receives donations under section 170 of the  
21 Internal Revenue Code and whose members include Iowa food  
22 banks and their affiliates that together serve all counties  
23 in the state, to be used to purchase food for distribution to  
24 food-insecure Iowans.  
25 b. Fifty percent of the moneys in the fund shall be awarded  
26 to each area agency on aging designated under section 231.32 in  
27 the proportion that the estimated amount of older individuals  
28 in Iowa served by that area agency on aging bears to the  
29 total estimated amount of older individuals in Iowa, to be  
30 used to provide congregate meals and home-delivered meals to  
31 food-insecure older individuals in Iowa.  
32 c. Ten percent of the moneys in the fund shall be awarded to  
33 persons who are using innovative ways to reduce food insecurity  
34 in this state. To be eligible to receive a grant pursuant to  
35 this paragraph "c", a person shall apply to the department



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1 in the manner prescribed by the department. In reviewing  
2 applications and making grants pursuant to this paragraph "c",  
3 the department may consider any factors the department deems  
4 appropriate.

5 3. The department shall adopt rules to administer the Iowa  
6 check off hunger fund.

7 Sec. 2. NEW SECTION. 422.12I Income tax checkoff for Iowa  
8 check off hunger fund.

9 1. Notwithstanding section 422.12E, for the tax year  
10 beginning in the 2014 calendar year, a person who files an  
11 individual or a joint income tax return with the department  
12 of revenue under section 422.13 may designate one dollar or  
13 more to be paid to the Iowa check off hunger fund created in  
14 section 231.67. If the refund due on the return or the payment  
15 remitted with the return is insufficient to pay the additional  
16 amount designated by the taxpayer to the Iowa check off hunger  
17 fund, the amount designated shall be reduced to the remaining  
18 amount of refund or the remaining amount remitted with the  
19 return. The designation of a contribution to the Iowa check  
20 off hunger fund under this section is irrevocable.

21 2. The director of revenue shall draft the 2014 income  
22 tax form to allow the designation of contributions to the  
23 Iowa check off hunger fund on the tax return. The department  
24 of revenue shall transfer the total amount designated on the  
25 2014 tax return forms to the Iowa check off hunger fund.  
26 However, before a checkoff pursuant to this section shall be  
27 permitted, all liabilities on the books of the department of  
28 administrative services and accounts identified as owing under  
29 section 8A.504 and the political contribution allowed under  
30 section 68A.601 shall be satisfied.

31 3. The department on aging may authorize payment of moneys  
32 from the Iowa check off hunger fund, in accordance with section  
33 231.67.

34 4. The department of revenue shall adopt rules to administer  
35 this section.



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1 5. This section is repealed January 1, 2015.

2 DIVISION II

3 IOWA ELECTION CAMPAIGN FUND TAX CHECKOFF

4 Sec. 3. Section 68A.601, Code 2014, is amended to read as  
5 follows:

6 **68A.601 Checkoff — income tax.**

7 A For tax years beginning before January 1, 2014, a person  
8 whose state income tax liability for any taxable year is one  
9 dollar and fifty cents or more may direct that one dollar and  
10 fifty cents of that liability be paid over to the Iowa election  
11 campaign fund when submitting the person's state income tax  
12 return to the department of revenue. In the case of a joint  
13 return of husband and wife having a state income tax liability  
14 of three dollars or more, each spouse may direct that one  
15 dollar and fifty cents be paid to the fund. The For tax years  
16 beginning before January 1, 2014, the director of revenue shall  
17 draft the income tax form to provide spaces on the tax return  
18 which the taxpayer may use to designate that contributions made  
19 under this section be credited to a specified political party  
20 as defined by section 43.2, or to the Iowa election campaign  
21 fund as a contribution to be shared by all such political  
22 parties in the manner prescribed by section 68A.602. The form  
23 shall inform the taxpayer of the consequences of the choices  
24 provided under this section, but this information may be  
25 contained in a footnote or other suitable form if the director  
26 of revenue finds it is not feasible to place the information  
27 immediately above the signature line. The action taken by a  
28 person for the checkoff is irrevocable.

29 Sec. 4. Section 422.12J, Code 2014, is amended to read as  
30 follows:

31 **422.12J Income tax checkoff for Iowa election campaign fund.**

32 A For tax years beginning before January 1, 2014, a person  
33 who files an individual or a joint income tax return with  
34 the department of revenue under section 422.13 may designate  
35 a contribution to the Iowa election campaign fund authorized

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1 pursuant to section 68A.601.

2 DIVISION III

3 FUTURE REPEAL OF IOWA ELECTION CAMPAIGN FUND TAX CHECKOFF

4 Sec. 5. Section 68A.103, subsection 2, Code 2014, is amended  
5 by striking the subsection.

6 Sec. 6. Section 97B.3, subsection 2, Code 2014, is amended  
7 to read as follows:

8 2. The qualifications for appointment as the chief  
9 executive officer shall include management-level pension  
10 fund administration experience. The qualifications for  
11 appointment as the chief executive officer shall also  
12 include a demonstrated knowledge of all aspects of pension  
13 fund administration, including financial management,  
14 investment asset management, benefit design and delivery,  
15 legal administration, and operations administration. The  
16 chief executive officer shall not be selected on the basis  
17 of political affiliation, and while employed as the chief  
18 executive officer, shall not be a member of a political  
19 committee, participate in a political campaign, or be a  
20 candidate for a partisan elective office, and shall not  
21 contribute to a political campaign fund, except that the chief  
22 executive officer may designate on the checkoff portion of the  
23 ~~state or federal income tax return, or both,~~ a party or parties  
24 to which a contribution is made pursuant to the checkoff. The  
25 chief executive officer shall not hold any other office under  
26 the laws of the United States or of this or any state and shall  
27 devote full time to the duties of office.

28 Sec. 7. Section 422.12D, subsection 4, Code 2014, is amended  
29 to read as follows:

30 4. The department shall adopt rules to implement this  
31 section. However, before a checkoff pursuant to this section  
32 shall be permitted, all liabilities on the books of the  
33 department of administrative services and accounts identified  
34 as owing under section 8A.504 ~~and the political contribution~~  
35 ~~allowed under section 68A.601~~ shall be satisfied.

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1     Sec. 8. Section 422.12E, subsection 1, Code 2014, is amended  
2 to read as follows:

3     1. For tax years beginning on or after January 1, 2004,  
4 there shall be allowed no more than four income tax return  
5 checkoffs on each income tax return. When the same four income  
6 tax return checkoffs have been provided on the income tax  
7 return for two consecutive years, the two checkoffs for which  
8 the least amount has been contributed, in the aggregate for the  
9 first tax year and through March 15 of the second tax year, are  
10 repealed. ~~This section does not apply to the income tax return~~  
11 ~~checkoff provided in section 68A.601.~~

12     Sec. 9. Section 422.12K, subsection 2, Code 2014, is amended  
13 to read as follows:

14     2. The director of revenue shall draft the income tax form  
15 to allow the designation of contributions to the child abuse  
16 prevention program fund on the tax return. The department of  
17 revenue, on or before January 31, shall transfer the total  
18 amount designated on the tax return forms due in the preceding  
19 calendar year to the child abuse prevention program fund.  
20 However, before a checkoff pursuant to this section shall be  
21 permitted, all liabilities on the books of the department of  
22 administrative services and accounts identified as owing under  
23 section 8A.504 ~~and the political contribution allowed under~~  
24 ~~section 68A.601~~ shall be satisfied.

25     Sec. 10. Section 422.12L, subsection 2, Code 2014, is  
26 amended to read as follows:

27     2. The director of revenue shall draft the income tax form  
28 to allow the designation of contributions to the veterans trust  
29 fund and to the volunteer fire fighter preparedness fund as  
30 one checkoff on the tax return. The department of revenue,  
31 on or before January 31, shall transfer one-half of the total  
32 amount designated on the tax return forms due in the preceding  
33 calendar year to the veterans trust fund and the remaining  
34 one-half to the volunteer fire fighter preparedness fund.  
35 However, before a checkoff pursuant to this section shall be



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1 permitted, all liabilities on the books of the department of  
2 administrative services and accounts identified as owing under  
3 section 8A.504 and the political contribution allowed under  
4 ~~section 68A.601~~ shall be satisfied.

5 Sec. 11. Section 456A.16, unnumbered paragraph 7, Code  
6 2014, is amended to read as follows:

7 The department shall adopt rules to implement this section.  
8 However, before a checkoff pursuant to this section shall be  
9 permitted, all liabilities on the books of the department of  
10 administrative services and accounts identified as owing under  
11 section 8A.504 and the political contribution allowed under  
12 ~~section 68A.601~~ shall be satisfied.

13 Sec. 12. Section 474.10, Code 2014, is amended to read as  
14 follows:

15 **474.10 General counsel.**

16 The board shall employ a competent attorney to serve as its  
17 general counsel, and assistants to the general counsel as it  
18 finds necessary for the full and efficient discharge of its  
19 duties. The general counsel is the attorney for, and legal  
20 advisor of, the board and is exempt from the merit system  
21 provisions of chapter 8A, subchapter IV. Assistants to the  
22 general counsel are subject to the merit system provisions of  
23 chapter 8A, subchapter IV. The general counsel or an assistant  
24 to the general counsel shall provide the necessary legal advice  
25 to the board in all matters and represent the board in all  
26 actions instituted in a state or federal court challenging  
27 the validity of a rule or order of the board. The existence  
28 of a fact which disqualifies a person from election or from  
29 acting as a utilities board member disqualifies the person from  
30 employment as general counsel or assistant general counsel.  
31 The general counsel shall devote full time to the duties of the  
32 office. During employment the counsel shall not be a member of  
33 a political committee, contribute to a political campaign fund  
34 other than through the income tax checkoff for contributions to  
35 ~~the Iowa election campaign fund and the presidential election~~

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1 campaign fund, participate in a political campaign, or be a  
2 candidate for a political office.

3 Sec. 13. Section 475A.1, subsection 4, Code 2014, is amended  
4 to read as follows:

5 4. *Political activity prohibited.* The consumer advocate  
6 shall devote the advocate's entire time to the duties of the  
7 office; and during the advocate's term of office the advocate  
8 shall not be a member of a political committee or contribute  
9 to a political campaign fund other than through the income tax  
10 checkoff for contributions to the ~~Iowa election campaign fund~~  
11 ~~and~~ the presidential election campaign fund or take part in  
12 political campaigns or be a candidate for a political office.

13 Sec. 14. Section 904.107, Code 2014, is amended to read as  
14 follows:

15 **904.107 Director — appointment and qualifications.**

16 The chief administrative officer for the department is the  
17 director. The director shall be appointed by the governor  
18 subject to confirmation by the senate and shall serve at the  
19 pleasure of the governor. The director shall be qualified  
20 in reformatory and prison management, knowledgeable in  
21 community-based corrections, and shall possess administrative  
22 ability. The director shall also have experience in the field  
23 of criminology and discipline and in the supervision of inmates  
24 in corrective penal institutions. The director shall not be  
25 selected on the basis of political affiliation, and while  
26 employed as the director, shall not be a member of a political  
27 committee, participate in a political campaign, be a candidate  
28 for a partisan elective office, and shall not contribute to a  
29 political campaign fund, except that the director may designate  
30 on the checkoff portion of the ~~state or~~ federal income tax  
31 ~~return, or both,~~ a party or parties to which a contribution is  
32 made pursuant to the checkoff. The director shall not hold any  
33 other office under the laws of the United States or of this or  
34 any state or hold any position for profit and shall devote full  
35 time to the duties of office.



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1 Sec. 15. REPEAL. Sections 68A.601, 68A.602, 68A.603,  
2 68A.604, 68A.605, 68A.606, 68A.607, 68A.608, 68A.609, and  
3 422.12J, Code 2014, are repealed.

4 Sec. 16. EFFECTIVE DATE. This division of this Act takes  
5 effect July 1, 2015.

6 DIVISION IV  
7 STUDY COMMITTEE

8 Sec. 17. INCOME TAX CHECKOFF STUDY COMMITTEE.

9 1. The legislative council is requested to establish an  
10 income tax checkoff study committee. The objective of the  
11 study committee shall be to review the use and effectiveness of  
12 individual income tax checkoffs in Iowa, and the desirability  
13 for making changes to the number, type, or administration of  
14 the individual income tax checkoffs.

15 2. The study committee shall meet during the 2014  
16 legislative interim. The study committee shall submit a report  
17 and recommendations to the general assembly by January 1, 2015.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with  
20 the explanation's substance by the members of the general assembly.

21 This bill relates to Iowa individual income tax checkoffs.  
22 Division I of the bill provides that taxpayers filing a 2014  
23 individual income tax return will be allowed to designate \$1 or  
24 more on the return to be paid to the Iowa check off hunger fund.  
25 The checkoff is repealed January 1, 2015. The division creates  
26 the Iowa check off hunger fund in the state treasury under the  
27 control of the department on aging. The division requires  
28 the department of revenue to remit moneys collected from the  
29 checkoff to the fund. Moneys in the fund are appropriated to  
30 the department on aging and shall be used to provide grants  
31 to specified entities and other persons to be used for the  
32 purpose of reducing food insecurity in the state. The division  
33 provides rules for the distribution of the grants. Forty  
34 percent of the moneys in the fund are required to be awarded  
35 to a nonprofit association, chosen by the department on aging,

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1 whose members include Iowa food banks and their affiliates  
2 that together serve all counties in the state, to be used to  
3 purchase food for distribution to food-insecure Iowans. Fifty  
4 percent of the moneys in the fund are required to be awarded  
5 to each area agency on aging designated under Code section  
6 231.32 in the proportion that the estimated amount of older  
7 individuals in Iowa served by that area agency on aging bears  
8 to the total estimated amount of older individuals in Iowa, to  
9 be used to provide congregate meals and home-delivered meals to  
10 food-insecure older individuals in Iowa. Ten percent of the  
11 moneys in the fund are required to be awarded to persons who  
12 are using innovative ways to reduce food insecurity in this  
13 state and who make an application to the department on aging  
14 for such a grant.

15 The division provides that the checkoff is not subject to  
16 Code section 422.12E. Code section 422.12E allows no more than  
17 four checkoffs on the individual tax return form and provides  
18 for the automatic repeal of the two checkoffs receiving the  
19 least in contributions over a two-year period.

20 Divisions II and III relate to the Iowa election campaign  
21 income tax checkoff and the Iowa election campaign fund.

22 CURRENT LAW. The Iowa election campaign tax checkoff allows  
23 individuals to designate on their income tax return up to \$1.50  
24 of their state tax liability to the Iowa election campaign  
25 fund. The checkoff is not subject to the provisions of Code  
26 section 422.12E.

27 Moneys in the Iowa election campaign fund, consisting of  
28 a separate fund for each political party, are disbursed to  
29 candidates for partisan public office at the request of the  
30 candidate and at the discretion of the state central committee  
31 of each political party. The Iowa ethics and campaign  
32 disclosure board is responsible for administering the Iowa  
33 election campaign fund. Any moneys not used by the political  
34 parties by the end of a general election year revert to the  
35 general fund of the state.



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1 Division II of the bill restricts the Iowa election  
2 campaign income tax checkoff to tax years beginning before  
3 January 1, 2014. The checkoff will not be available on the  
4 individual income tax return for tax year 2014, nor any tax  
5 year thereafter.

6 Division III of the bill provides that the Iowa election  
7 campaign income tax checkoff and the Iowa election campaign  
8 fund are repealed effective July 1, 2015.

9 Division IV requests the legislative council to establish  
10 an income tax checkoff study committee to meet during the 2014  
11 legislative interim and review the use and effectiveness of  
12 individual income tax checkoffs in Iowa, and the desirability  
13 for making changes to their number, type, or administration.  
14 The study committee is required to submit a report and  
15 recommendations to the general assembly by January 1, 2015.



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House File 2472 - Introduced

HOUSE FILE 2472  
BY COMMITTEE ON WAYS AND MEANS  
  
(SUCCESSOR TO HF 2329)  
(SUCCESSOR TO HSB 515)

A BILL FOR

1 An Act relating to and providing for the facilitation of  
2 broadband access in unserved or underserved areas of the  
3 state, including income and property tax incentives for  
4 broadband infrastructure installation, and including  
5 retroactive applicability provisions.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I  
2 LEGISLATIVE INTENT  
3 Section 1. SHORT TITLE. This Act shall be known and may be  
4 cited as the "Connect Every Iowan Act".  
5 Sec. 2. LEGISLATIVE INTENT. The general assembly finds  
6 and declares that increasing the extent and availability of  
7 broadband infrastructure throughout the state facilitates  
8 the provision of internet access to citizens, businesses,  
9 and communities at speeds that promote economic development,  
10 employment, enhanced access to goods and services, increased  
11 educational and training opportunities, faster access to  
12 government services and health care, and improved overall  
13 information and community access.

14 DIVISION II  
15 STATEWIDE BROADBAND COORDINATION  
16 Sec. 3. Section 8B.1, Code 2014, is amended by adding the  
17 following new subsections:  
18 NEW SUBSECTION. 01. "*Broadband*" means a high-speed,  
19 high-capacity electronic transmission medium that can carry  
20 data signals from multiple independent network sources by  
21 establishing different bandwidth channels and that is commonly  
22 used to deliver internet services to the public.  
23 NEW SUBSECTION. 001. "*Broadband infrastructure*" means  
24 the physical infrastructure used for the transmission of data  
25 via broadband, including but not limited to any equipment,  
26 systems, switches, routers, wire, cable, satellite, conduits,  
27 servers, software, technology, base transceiver station  
28 sites, or other means of transmission or communication.  
29 "*Broadband infrastructure*" does not include land, buildings,  
30 structures, improvements, or equipment not directly used in the  
31 transmission of data.  
32 NEW SUBSECTION. 0001. "*Communications service provider*"  
33 means a service provider that provides broadband service.  
34 NEW SUBSECTION. 00001. "*Crop operation*" means the same as  
35 defined in section 717A.1.

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1 Sec. 4. Section 8B.1, subsection 1, Code 2014, is amended  
2 to read as follows:

3 1. *"Information technology"* means computing and electronics  
4 applications used to process and distribute information in  
5 digital and other forms and includes information technology  
6 devices, information technology services, infrastructure  
7 services, broadband and broadband infrastructure, and  
8 value-added services.

9 Sec. 5. Section 8B.1, Code 2014, is amended by adding the  
10 following new subsections:

11 NEW SUBSECTION. 7A. *"Targeted underserved service area"*  
12 means a United States census bureau census block located in  
13 this state, including any crop operation located within the  
14 census block, within which no communications service provider  
15 offers or facilitates broadband service at or above twenty-five  
16 megabits per second of download speed and three megabits per  
17 second of upload speed.

18 NEW SUBSECTION. 7B. *"Targeted unserved service area"* means  
19 a United States census bureau census block located in this  
20 state, including any crop operation located within the census  
21 block, within which no communications service provider offers  
22 or facilitates broadband service at or above four megabits per  
23 second of download speed and one megabit per second of upload  
24 speed.

25 Sec. 6. Section 8B.3, subsection 1, Code 2014, is amended  
26 to read as follows:

27 1. The office is created for the purpose of leading,  
28 directing, managing, coordinating, and providing accountability  
29 for the information technology resources of state government  
30 and for coordinating statewide broadband availability and  
31 access.

32 Sec. 7. Section 8B.4, Code 2014, is amended by adding the  
33 following new subsection:

34 NEW SUBSECTION. 14A. Streamline, consolidate, and  
35 coordinate the access to and availability of broadband and



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1 broadband infrastructure throughout the state, including but  
2 not limited to the facilitation of public-private partnerships,  
3 ensuring that all state agencies' broadband and broadband  
4 infrastructure policies and procedures are aligned, promoting  
5 accountability regarding broadband and broadband infrastructure  
6 availability and access, integrating broadband with cyber  
7 security standards and rules, resolving issues which arise  
8 with regard to implementation efforts, collecting data and  
9 developing metrics or standards against which the data may  
10 be measured and evaluated regarding broadband infrastructure  
11 installation and deployment, and identifying options regarding  
12 the creation of standing resources for stakeholders such  
13 as a fiberoptic database or a fiberoptic network conduit  
14 installation coordination effort for state-funded construction  
15 projects.

16 Sec. 8. Section 8B.9, Code 2014, is amended by adding the  
17 following new subsection:

18 NEW SUBSECTION. 5. An annual report regarding the status of  
19 broadband expansion and coordination.

20 Sec. 9. NEW SECTION. **8B.10 Targeted unserved and**  
21 **underserved service areas — determination — criteria —**  
22 **subdivision.**

23 1. The determination of whether a communications service  
24 provider offers or facilitates broadband service meeting the  
25 download or upload speeds specified in the definitions of  
26 targeted underserved service area and targeted unserved service  
27 area in section 8B.1 shall be determined or ascertained by  
28 reference to broadband availability maps or data sources that  
29 are widely accepted for accuracy and available for public  
30 review and comment and that are identified by the office by  
31 rule.

32 2. The office shall establish procedures to allow  
33 challenges to claims that an area meets the definition of a  
34 targeted unserved service area or targeted underserved service  
35 area.



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1 3. Service areas that have more than one communications  
2 service provider shall be subdivided based on incumbent local  
3 telephone exchange areas that have been established by the  
4 utilities board of the utilities division of the department of  
5 commerce pursuant to section 476.29.

6 Sec. 10. NEW SECTION. 8B.25 Broadband permitting process  
7 — expeditious response.

8 Notwithstanding any other provision to the contrary, a  
9 political subdivision vested with permitting authority shall  
10 approve, approve with modification, or disapprove nonwireless  
11 broadband-related permits within sixty business days following  
12 the submission of a permit application and fee. In the event  
13 that no action is taken during the sixty-day period, the  
14 application shall be deemed approved.

15 Sec. 11. Section 8D.3, subsection 2, paragraph a, Code 2014,  
16 is amended to read as follows:

17 a. The commission is composed of the chief information  
18 officer appointed pursuant to section 8B.2 or the chief  
19 information officer's designee and five other members who shall  
20 be appointed by the governor and subject to confirmation by the  
21 senate. ~~Members~~ Appointed members of the commission shall not  
22 serve in any manner or be employed by an authorized user of the  
23 network or by an entity seeking to do or doing business with  
24 the network.

25 (1) The governor shall appoint a member as the chairperson  
26 of the commission from the five members appointed by the  
27 governor, subject to confirmation by the senate.

28 (2) ~~Members~~ Appointed members of the commission shall serve  
29 six-year staggered terms as designated by the governor and  
30 appointments to the commission are subject to the requirements  
31 of sections 69.16, 69.16A, and 69.19. Vacancies shall be  
32 filled by the governor for the duration of the unexpired term.

33 (3) The salary of the appointed members of the commission  
34 shall be twelve thousand dollars per year, except that the  
35 salary of the chairperson shall be seventeen thousand dollars



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1 per year. ~~Members~~ Appointed members of the commission shall  
2 also be reimbursed for all actual and necessary expenses  
3 incurred in the performance of duties as members. The benefits  
4 and salary paid to the appointed members of the commission  
5 shall be adjusted annually equal to the average of the annual  
6 pay adjustments, expense reimbursements, and related benefits  
7 provided under collective bargaining agreements negotiated  
8 pursuant to chapter 20.

9 Sec. 12. Section 8D.3, subsection 2, paragraph b, Code 2014,  
10 is amended to read as follows:

11 ~~b. In addition to the members appointed by the governor, the~~  
12 The auditor of state or the auditor's designee shall serve as a  
13 nonvoting, ex officio member of the commission.

14 Sec. 13. Section 8D.4, Code 2014, is amended to read as  
15 follows:

16 **8D.4 Executive director appointed.**

17 ~~The commission, in consultation with the director of~~  
18 ~~the department of administrative services and the chief~~  
19 ~~information officer,~~ shall appoint an executive director of  
20 the commission, subject to confirmation by the senate. Such  
21 individual shall not serve as a member of the commission.  
22 The executive director shall serve at the pleasure of the  
23 commission. The executive director shall be selected primarily  
24 for administrative ability and knowledge in the field, without  
25 regard to political affiliation. The governor shall establish  
26 the salary of the executive director within range nine as  
27 established by the general assembly. The salary and support of  
28 the executive director shall be paid from funds deposited in  
29 the Iowa communications network fund.

30 Sec. 14. Section 80.28, subsection 2, Code 2014, is amended  
31 to read as follows:

32 2. The board shall consist of ~~fifteen~~ seventeen voting  
33 members, as follows:

34 a. The following members representing state agencies:

35 (1) One member representing the department of public



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1 safety.

2 (2) One member representing the state department of  
3 transportation.

4 (3) One member representing the department of homeland  
5 security and emergency management.

6 (4) One member representing the department of corrections.

7 (5) One member representing the department of natural  
8 resources.

9 (6) One member representing the Iowa department of public  
10 health.

11 (7) One member representing the office of the chief  
12 information officer.

13 b. The governor shall solicit and consider recommendations  
14 from professional or volunteer organizations in appointing the  
15 following members:

16 (1) Two members who are representatives from municipal  
17 police departments.

18 (2) Two members who are representatives of sheriff's  
19 offices.

20 (3) Two members who are representatives from fire  
21 departments. One of the members shall be a volunteer fire  
22 fighter and the other member shall be a paid fire fighter.

23 (4) Two members who are law communication center managers  
24 employed by state or local government agencies.

25 (05) One member who is an emergency medical care provider  
26 as defined in section 147A.1.

27 (5) One at-large member.

28 DIVISION III

29 INCOME TAX INCENTIVES

30 Sec. 15. Section 422.7, Code 2014, is amended by adding the  
31 following new subsection:

32 NEW SUBSECTION. 57. a. If adjusted gross income includes  
33 a depreciation deduction under section 167 of the Internal  
34 Revenue Code for broadband infrastructure placed in service on  
35 or after July 1, 2014, in a targeted unserved service area or a

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1 targeted underserved service area, the taxpayer may elect to  
2 claim an accelerated depreciation deduction on such broadband  
3 infrastructure in computing net income for state tax purposes.  
4 If the taxpayer does elect to claim an accelerated depreciation  
5 deduction, the following adjustments shall be made:

6 (1) Add the total amount of depreciation taken for federal  
7 tax purposes on the broadband infrastructure for the tax  
8 year using the modified accelerated cost recovery system  
9 depreciation method applicable under section 168 of the  
10 Internal Revenue Code.

11 (2) Subtract an amount equal to the product of the amount of  
12 depreciation taken for federal tax purposes on the broadband  
13 infrastructure for the tax year using the modified accelerated  
14 cost recovery system depreciation method applicable under  
15 section 168 of the Internal Revenue Code multiplied by two, not  
16 to exceed the adjusted basis of the broadband infrastructure  
17 for state tax purposes.

18 (3) Any other adjustments to basis or gains or losses to  
19 reflect the adjustments made in subparagraphs (1) and (2)  
20 pursuant to rules adopted by the director.

21 *b.* An election made under this subsection is irrevocable  
22 and applies to the broadband infrastructure for which the  
23 election is made for the tax year of the election and for each  
24 succeeding tax year.

25 *c.* For purposes of this subsection, "*broadband*  
26 *infrastructure*", "*targeted unserved service area*", and "*targeted*  
27 *underserved service area*" mean the same as defined in section  
28 8B.1.

29 Sec. 16. NEW SECTION. 422.11C Broadband infrastructure tax  
30 credit.

31 1. For purposes of this section, "*broadband infrastructure*",  
32 "*communications service provider*", "*targeted unserved service*  
33 *area*", and "*targeted underserved service area*" mean the same as  
34 defined in section 8B.1.

35 2. The taxes imposed under this division, less the credits

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1 allowed under section 422.12, shall be reduced by a broadband  
2 infrastructure tax credit. The credit shall be equal to seven  
3 percent of the amount expended by a communications service  
4 provider for a new installation of broadband infrastructure  
5 completed on or after July 1, 2014, in a targeted unserved  
6 service area, and three and one-half percent of the amount  
7 expended by a communications service provider for a new  
8 installation of broadband infrastructure completed on or  
9 after July 1, 2014, in a targeted underserved service area.  
10 The amount of a reduction pursuant to this section shall not  
11 exceed a maximum of five hundred thousand dollars per United  
12 States census bureau census block, or three million dollars  
13 per installation. A taxpayer claiming a credit under this  
14 section shall certify prior to commencement of the installation  
15 that the broadband infrastructure installation will take place  
16 within targeted unserved service areas or targeted underserved  
17 service areas. Any credit in excess of the tax liability for  
18 the tax year shall not be refunded, but may be credited to  
19 the tax liability for the following ten tax years or until  
20 depleted, whichever is earlier.

21 3. An individual may claim the tax credit allowed a  
22 partnership, limited liability company, S corporation, estate,  
23 or trust electing to have the income taxed directly to the  
24 individual. The amount claimed by the individual shall be  
25 based upon the pro rata share of the individual's earnings of a  
26 partnership, limited liability company, S corporation, estate,  
27 or trust.

28 4. The director of revenue may adopt rules pursuant to  
29 chapter 17A for the interpretation and proper administration of  
30 the credit provided in this section.

31 Sec. 17. Section 422.33, Code 2014, is amended by adding the  
32 following new subsection:

33 NEW SUBSECTION. 31. The taxes imposed under this division  
34 shall be reduced by a broadband infrastructure tax credit  
35 allowed under section 422.11C.



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1     Sec. 18. Section 422.35, Code 2014, is amended by adding the  
2 following new subsection:

3     NEW SUBSECTION. 26. *a.* If taxable income includes a  
4 depreciation deduction under section 167 of the Internal  
5 Revenue Code for broadband infrastructure placed in service on  
6 or after July 1, 2014, in a targeted unserved service area or a  
7 targeted underserved service area, the taxpayer may elect to  
8 claim an accelerated depreciation deduction on such broadband  
9 infrastructure in computing net income for state tax purposes.  
10 If the taxpayer does elect to claim an accelerated depreciation  
11 deduction, the following adjustments shall be made:

12     (1) Add the total amount of depreciation taken for federal  
13 tax purposes on the broadband infrastructure for the tax  
14 year using the modified accelerated cost recovery system  
15 depreciation method applicable under section 168 of the  
16 Internal Revenue Code.

17     (2) Subtract an amount equal to the product of the amount of  
18 depreciation taken for federal tax purposes on the broadband  
19 infrastructure for the tax year using the modified accelerated  
20 cost recovery system depreciation method applicable under  
21 section 168 of the Internal Revenue Code multiplied by two, not  
22 to exceed the adjusted basis of the broadband infrastructure  
23 for state tax purposes.

24     (3) Any other adjustments to basis or gains or losses to  
25 reflect the adjustments made in subparagraphs (1) and (2)  
26 pursuant to rules adopted by the director.

27     *b.* An election made under this subsection is irrevocable  
28 and applies to the broadband infrastructure for which the  
29 election is made for the tax year of the election and for each  
30 succeeding tax year.

31     *c.* For purposes of this subsection, "*broadband*  
32 *infrastructure*", "*targeted unserved service area*", and "*targeted*  
33 *underserved service area*" mean the same as defined in section  
34 8B.1.

35     Sec. 19. RETROACTIVE APPLICABILITY. This division of this

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1 Act applies retroactively to January 1, 2014, for tax years  
2 beginning on or after that date.

3 DIVISION IV

4 PROPERTY TAX INCENTIVES AND ASSESSMENT

5 Sec. 20. Section 427.1, Code 2014, is amended by adding the  
6 following new subsection:

7 NEW SUBSECTION. 40. *Broadband infrastructure.*

8 *a.* Broadband infrastructure shall be entitled to an  
9 exemption from taxation to the extent provided in this section  
10 based upon the actual value added by broadband infrastructure  
11 that is newly installed and completed. For the purposes of  
12 this subsection, "broadband infrastructure", "targeted unserved  
13 service area", and "targeted underserved service area" mean the  
14 same as defined in section 8B.1.

15 *b.* The exemption shall apply to the new installation  
16 of broadband infrastructure completed on or after July 1,  
17 2014, in a targeted unserved service area or a targeted  
18 underserved service area. A person claiming an exemption  
19 under this subsection shall certify prior to commencement of  
20 the installation that the broadband installation will take  
21 place within a targeted unserved service area or a targeted  
22 underserved service area.

23 *c.* If the broadband infrastructure is assessed with other  
24 property as a unit by the department of revenue pursuant  
25 to sections 428.24 through 428.29 or chapter 433, this  
26 exemption shall be limited to the value added by the broadband  
27 infrastructure as determined as of the assessment date and  
28 the exemption shall be applied prior to any other exemption  
29 applicable to the unit value.

30 *d.* The tax exemption shall be a one hundred percent  
31 exemption from taxation on the actual value added by the  
32 improvements for a period of ten years.

33 *e.* (1) A person may submit a proposal to the governing body  
34 of the city or county within which a broadband infrastructure  
35 installation project is proposed to receive prior approval for

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1 eligibility for a tax exemption for the project pursuant to  
2 this section. The governing body shall, by resolution, give  
3 its prior approval if the project is in conformance with the  
4 requirements of this subsection. Such prior approval shall  
5 not entitle the owner to exemption from taxation until the  
6 improvements have been completed and found to be qualified  
7 real estate. However, if the proposal is not approved, the  
8 person may submit an amended proposal for the governing body to  
9 approve or reject.

10 (2) The application for an exemption shall be filed by the  
11 owner of the property with the governing body of the city or  
12 county in which the property is located by February 1 of the  
13 assessment year for which the exemption is first claimed, but  
14 not later than the year in which the value added pursuant to  
15 the project is first assessed for taxation, or the following  
16 two assessment years, in which case the exemption is allowed  
17 for the total number of years in the exemption schedule.  
18 However, upon the request of the owner at any time, the  
19 governing body of the city or county may provide by resolution  
20 that the owner may file an application by February 1 of any  
21 other assessment year selected by the governing body in which  
22 case the exemption is allowed for the number of years remaining  
23 in the exemption schedule selected. The application shall  
24 contain but not be limited to the following information:

- 25 (a) The nature of the improvement.  
26 (b) The estimated cost of the improvement.  
27 (c) The estimated or actual date of project completion.  
28 (d) Certification that the installation was completed in  
29 a targeted unserved service area or a targeted underserved  
30 service area.

31 (3) The governing body of the city or county shall forward  
32 for review all approved applications to the appropriate local  
33 assessor by March 1 annually. The assessor shall proceed to  
34 determine the actual value of the newly installed broadband  
35 infrastructure and shall certify the valuation determined to

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1 the county auditor at the time of transmitting the assessment  
2 rolls. After the tax exemption is granted, the local assessor  
3 shall continue to grant the tax exemption for the remainder of  
4 the time period in the exemption schedule, and applications for  
5 exemption for succeeding years shall not be required.

6 *f.* The director of revenue may adopt rules pursuant to  
7 chapter 17A for the interpretation and proper administration of  
8 the exemption provided in this subsection.

9 Sec. 21. Section 433.4, subsection 1, Code 2014, is amended  
10 to read as follows:

11 1. *a.* The director of revenue shall on or before October  
12 31 each year, proceed to find the actual value of the property  
13 of these companies in this state that is used by the companies  
14 in the transaction of telegraph and telephone business, taking  
15 into consideration the information obtained from the statements  
16 required, and any further information the director can obtain,  
17 using the same as a means for determining the actual value  
18 of the property of these companies within this state. The  
19 director shall also take into consideration the valuation of  
20 all property of these companies, including franchises and the  
21 use of the property in connection with lines outside the state,  
22 and making these deductions as may be necessary on account of  
23 extra value of property outside the state as compared with  
24 the value of property in the state, in order that the actual  
25 value of the property of the company within this state may be  
26 ascertained. The assessment shall include all property of  
27 every kind and character whatsoever, real, personal, or mixed,  
28 used by the companies in the transaction of telegraph and  
29 telephone business. The property so included in the assessment  
30 shall not be taxed in any other manner than as provided in this  
31 chapter.

32 *b.* (1) A telephone and telegraph company that has property  
33 situated in a majority of the counties in the state and that  
34 has a total actual value for the assessment years beginning  
35 January 1, 2013, and January 1, 2014, of seven hundred

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1 eighty million dollars shall, in lieu of other valuation  
2 methodologies, be valued as a unit according to the cost of  
3 acquiring or constructing at current prices a property that  
4 is the functional equivalent of an existing property less an  
5 allowance for depreciation for a period of ten consecutive  
6 assessment years beginning January 1, 2015.

7 (2) The actual value of the property of a company determined  
8 under this paragraph "b" shall not be construed to be the actual  
9 value that would, but for this paragraph "b", be determined by  
10 the director under this chapter and shall not be construed to  
11 reflect the market value of the property of a telephone and  
12 telegraph company that is valued under this paragraph "b".

13 DIVISION V

14 UNIFORM CELL SITING

15 Sec. 22. NEW SECTION. 8C.1 Short title.

16 This chapter shall be known and may be cited as the "*Iowa*  
17 *Cell Siting Act*".

18 Sec. 23. NEW SECTION. 8C.2 Legislative intent.

19 The general assembly finds and declares that it is the  
20 policy of this state to facilitate the provision of broadband  
21 and other advanced wireless communication services across the  
22 entirety of the state; and that it is further the policy to  
23 promote access to broadband and advanced wireless communication  
24 services for all residents, students, government agencies,  
25 and businesses to ensure the availability of world-class  
26 educational opportunities, economic development, and public  
27 safety services throughout the state.

28 Sec. 24. NEW SECTION. 8C.3 Definitions.

29 For the purposes of this chapter, unless the context  
30 otherwise requires:

31 1. "*Accessory equipment*" means any equipment serving or  
32 being used in conjunction with a wireless facility or wireless  
33 support structure, including but not limited to power supplies,  
34 generators, batteries, cables, equipment, buildings, cabinets,  
35 storage sheds, shelters, and similar structures.

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1     2. *"Antenna"* means communications equipment that transmits  
2 and receives electromagnetic radio signals used in the  
3 provision of all types of wireless communications services.

4     3. *"Applicant"* means any person engaged in the business  
5 of providing wireless communications services or the  
6 wireless communications infrastructure required for wireless  
7 communications services who submits an application.

8     4. *"Application"* means a request submitted by an applicant  
9 to an authority to construct a new wireless support structure,  
10 for the substantial modification of a wireless support  
11 structure, or for collocation of wireless facilities on an  
12 existing structure.

13    5. *"Authority"* means a state, county, or municipal governing  
14 body, board, agency, office, or commission authorized by law to  
15 make legislative, quasi-judicial, or administrative decisions  
16 relative to the construction, installation, modification, or  
17 siting of wireless facilities or wireless support structures.  
18 *"Authority"* does not include state courts having jurisdiction  
19 over land use, planning, or zoning decisions made by an  
20 authority or the utilities division of the department of  
21 commerce.

22    6. *"Base station"* means a station at a specific site  
23 authorized to communicate with mobile stations, generally  
24 consisting of radio transceivers, antennas, coaxial cables,  
25 power supplies, and other associated electronics.

26    7. *"Building permit"* means a permit issued by an authority  
27 prior to the collocation of wireless facilities on an existing  
28 structure, the substantial modification of a wireless support  
29 structure, or the commencement of construction of any new  
30 wireless support structure, solely to ensure that the work to  
31 be performed by the applicant satisfies the applicable building  
32 code.

33    8. *"Collocation"* means the placement or installation of  
34 wireless facilities on existing structures, without the need  
35 to construct a new wireless support structure. *"Collocation"*

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1 includes the placement, replacement, or modification of  
2 wireless facilities within a previously approved equipment  
3 compound.

4 9. "*Electric utility*" means an owner or operator of an  
5 electric transmission or distribution facility subject to the  
6 safety jurisdiction of the utilities board of the utilities  
7 division of the department of commerce.

8 10. "*Equipment compound*" means an area surrounding or  
9 near the base of a wireless support structure within which is  
10 located wireless facilities.

11 11. "*Existing structure*" means a structure that exists at  
12 the time a request for permission to place wireless facilities  
13 on a structure is filed with an authority, including any  
14 structure that is capable of supporting the attachment of  
15 wireless facilities in compliance with applicable building  
16 codes, including but not limited to towers, buildings, and  
17 water towers, but not including utility poles.

18 12. "*Substantial modification*" means the mounting of a  
19 proposed wireless facility on a wireless support structure  
20 which results in one or more of the following:

21 a. Increasing the existing vertical height of the structure  
22 by more than ten percent, or the height of one additional  
23 antenna array with separation from the nearest existing antenna  
24 not to exceed twenty feet, whichever is greater.

25 b. Adding an appurtenance to the body of a wireless support  
26 structure that protrudes horizontally from the edge of the  
27 wireless support structure more than twenty feet, or more than  
28 the width of the wireless support structure at the level of the  
29 appurtenance, whichever is greater, except where necessary to  
30 shelter the antenna from inclement weather or to connect the  
31 antenna to the wireless support structure via cable.

32 c. Increasing the square footage of the existing equipment  
33 compound by more than two thousand five hundred square feet.

34 13. "*Utility pole*" means a structure owned or operated by a  
35 public utility or municipality that is designed specifically

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1 for and used to carry lines, cables, or wires for telephony,  
2 cable television, or electricity, or to provide lighting. For  
3 the purposes of this section, "*public utility*" includes an  
4 electric utility.

5 14. "*Water tower*" means a water storage tank, or a standpipe  
6 or an elevated tank situated on a support structure, originally  
7 constructed for use as a reservoir or facility to store or  
8 deliver water.

9 15. "*Wireless facility*" means the set of equipment and  
10 network components, exclusive of the underlying wireless  
11 support structure, including but not limited to antennas,  
12 accessory equipment, transmitters, receivers, base stations,  
13 power supplies, cabling, and associated equipment, necessary to  
14 provide wireless communications services.

15 16. "*Wireless support structure*" means a structure designed  
16 to support wireless facilities, including but not limited to  
17 monopoles, towers, or other freestanding facilities. "*Wireless*  
18 *support structure*" does not include utility poles.

19 Sec. 25. NEW SECTION. 8C.4 Uniform rules and limitations —  
20 all applications.

21 In order to ensure uniformity across this state with respect  
22 to the consideration of every application, and notwithstanding  
23 any other provision to the contrary, an authority shall not do  
24 any of the following:

25 1. Require an applicant to submit information about, or  
26 evaluate an applicant's business decisions with respect to, the  
27 applicant's designed service, customer demand for service, or  
28 quality of the applicant's service to or from a particular area  
29 or site.

30 2. Evaluate an application based on the availability  
31 of other potential locations for the placement of wireless  
32 support structures or wireless facilities, including without  
33 limitation the option to collocate instead of constructing a  
34 new wireless support structure, or for substantial modification  
35 of a wireless support structure.

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1     3. Dictate the type of wireless facilities, infrastructure,  
2 or technology to be used by the applicant or require an  
3 applicant to construct a distributed antenna system in lieu of  
4 construction of a new wireless support structure, substantial  
5 modification of a wireless support structure, or collocation.  
6     4. Require the removal of existing wireless support  
7 structures or wireless facilities, wherever located, as a  
8 condition to approval of an application.  
9     5. Impose environmental testing, sampling, or monitoring  
10 requirements, or other compliance measures for radio frequency  
11 emissions on wireless facilities that are categorically  
12 excluded under the federal communication commission's rules for  
13 radio frequency emissions pursuant to 47 C.F.R. §1.1307(b)(1).  
14     6. Establish or enforce regulations or procedures for radio  
15 frequency signal strength or the adequacy of service quality.  
16     7. Reject an application, in whole or in part, based on  
17 perceived or alleged environmental effects of radio frequency  
18 emissions, as provided in 47 U.S.C. §332(c)(7)(B)(iv).  
19     8. Prohibit the placement of emergency power systems that  
20 comply with federal and state environmental requirements.  
21     9. Charge an application fee, consulting fee, or other fee  
22 associated with the submission, review, processing, or approval  
23 of an application that is not required for similar types of  
24 commercial development within the authority's jurisdiction.  
25 Fees imposed by an authority or by a third-party entity  
26 providing review or technical consultation to the authority  
27 shall be based on actual, direct, and reasonable administrative  
28 costs incurred for the review, processing, and approval of an  
29 application. In no case shall total charges and fees exceed  
30 five hundred dollars for a collocation application or three  
31 thousand dollars for an application for a new wireless support  
32 structure or for a substantial modification of a wireless  
33 support structure. An authority or any third-party entity  
34 shall not include within its charges any travel expenses  
35 incurred in the review of an application, and an applicant

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1 shall not be required to pay or reimburse an authority for  
2 consultant or other third-party fees based on a contingency or  
3 result-based arrangement.

4 10. Impose surety requirements, including bonds, escrow  
5 deposits, letters of credit, or any other type of financial  
6 surety, to ensure that abandoned or unused facilities can be  
7 removed unless the authority imposes similar requirements on  
8 other applicants for other types of commercial development  
9 or land uses. If surety requirements are imposed, the  
10 requirements must be competitively neutral, nondiscriminatory,  
11 reasonable in amount, and commensurate with the historical  
12 record for local facilities and structures that are abandoned.

13 11. Condition the approval of an application on the  
14 applicant's agreement to provide space on or near the wireless  
15 support structure for authority or local governmental services  
16 at less than the market rate for such space or to provide other  
17 services via the structure or facilities at less than the  
18 market rate for such services.

19 12. Limit the duration of the approval of an application.

20 13. Discriminate on the basis of the ownership, including  
21 ownership by the authority, of any property, structure, or  
22 tower when promulgating rules or procedures for siting wireless  
23 facilities or for evaluating applications.

24 Sec. 26. NEW SECTION. 8C.5 Uniform rules — new wireless  
25 support structure applications.

26 1. An authority may exercise zoning, land use, planning,  
27 and permitting authority within the authority's territorial  
28 boundaries with regard to the siting of a new wireless support  
29 structure, subject to the provisions of this chapter and  
30 federal law.

31 2. An applicant that proposes to construct a new wireless  
32 support structure within the jurisdiction of an authority  
33 that has adopted planning and zoning regulations shall submit  
34 the necessary copies and attachments of the application to  
35 the appropriate authority and comply with applicable local

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1 ordinances concerning land use and the appropriate permitting  
2 processes.

3 3. All records, including but not limited to documents and  
4 electronic data, in the possession or custody of authority  
5 personnel shall be subject to applicable open records  
6 provisions of chapter 22.

7 4. An authority, within ninety calendar days of receiving  
8 an application to construct a new wireless support structure,  
9 unless another date is specified in a written agreement  
10 between the authority and the applicant, shall comply with the  
11 following provisions:

12 a. Review the application for conformity with applicable  
13 local zoning regulations, building permit requirements, and  
14 consistency with this chapter. An application is deemed to  
15 be complete unless the authority notifies the applicant in  
16 writing, within thirty calendar days of submission of the  
17 application, of the specific deficiencies in the application  
18 which, if cured, would make the application complete. Upon  
19 receipt of a timely written notice that an application is  
20 deficient, an applicant may take thirty calendar days from  
21 receiving such notice to cure the specific deficiencies. If  
22 the applicant cures the deficiencies within thirty calendar  
23 days, the application shall be reviewed and processed within  
24 ninety calendar days from the initial date the application was  
25 received. If the applicant requires a period of time beyond  
26 thirty calendar days to cure the specific deficiencies, the  
27 deadline for review and processing of the application shall be  
28 extended by the same period of time.

29 b. Make its final decision to approve or disapprove the  
30 application.

31 c. Advise the applicant in writing of its final decision.

32 5. If the authority fails to act on an application to  
33 construct a new wireless support structure within the review  
34 period specified under subsection 4, the application shall be  
35 deemed approved.



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1     6. A party aggrieved by the final action of an authority,  
2 either by its affirmative disapproval of an application under  
3 the provisions of this section or by its inaction, may bring an  
4 action for review in any court of competent jurisdiction.

5     Sec. 27. NEW SECTION. **8C.6 Uniform rules — substantial**  
6 **modification of wireless support structure applications.**

7     1. An authority may exercise zoning, land use, planning,  
8 and permitting authority within the authority's territorial  
9 boundaries with regard to an application for substantial  
10 modification of a wireless support structure, subject to the  
11 provisions of this chapter and federal law.

12    2. An applicant that proposes a substantial modification  
13 of a wireless support structure within the jurisdiction of an  
14 authority that has adopted planning and zoning regulations  
15 shall submit the necessary copies and attachments of the  
16 application to the appropriate authority and comply with  
17 applicable local ordinances concerning land use and the  
18 appropriate permitting processes.

19    3. All records, including but not limited to documents and  
20 electronic data, in the possession or custody of authority  
21 personnel shall be subject to applicable open records  
22 provisions of chapter 22.

23    4. An authority, within forty-five calendar days of  
24 receiving an application for a substantial modification of a  
25 wireless support structure, unless another date is specified in  
26 a written agreement between the authority and the applicant,  
27 shall comply with the following provisions:

28    a. Review the application for conformity with applicable  
29 local zoning regulations, building permit requirements, and  
30 consistency with this chapter. An application is deemed to  
31 be complete unless the authority notifies the applicant in  
32 writing, within fifteen calendar days of submission of the  
33 application, of the specific deficiencies in the application  
34 which, if cured, would make the application complete. Upon  
35 receipt of a timely written notice that an application is

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1 deficient, an applicant may take fifteen calendar days from  
2 receiving such notice to cure the specific deficiencies. If  
3 the applicant cures the deficiencies within fifteen calendar  
4 days, the application shall be reviewed and processed within  
5 forty-five calendar days from the initial date the application  
6 was received. If the applicant requires a period of time  
7 beyond fifteen calendar days to cure the specific deficiencies,  
8 the deadline for review and processing of the application shall  
9 be extended by the same period of time.

10     **b.** Make its final decision to approve or disapprove the  
11 application.

12     **c.** Advise the applicant in writing of its final decision.

13     5. If the authority fails to act on an application for a  
14 substantial modification within the review period specified  
15 under subsection 4, the application for a substantial  
16 modification shall be deemed approved.

17     6. A party aggrieved by the final action of an authority,  
18 either by its affirmative disapproval of an application under  
19 the provisions of this section or by its inaction, may bring an  
20 action for review in any court of competent jurisdiction.

21     Sec. 28. NEW SECTION. **8C.7 Uniform rules — collocation**  
22 **applications.**

23     1. A collocation application shall be reviewed for  
24 conformance with applicable building permit requirements  
25 but shall not otherwise be subject to zoning or land use  
26 requirements, including design or placement requirements, or  
27 public hearing review, notwithstanding any other provision to  
28 the contrary.

29     2. An authority, within forty-five calendar days of  
30 receiving a collocation application, unless another date is  
31 specified in a written agreement between the authority and the  
32 applicant, shall comply with the following provisions:

33     **a.** Review the collocation application for conformity  
34 with applicable building permit requirements and consistency  
35 with this chapter. A collocation application is deemed to

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1 be complete unless the authority notifies the applicant in  
2 writing, within fifteen calendar days of submission of the  
3 collocation application, of the specific deficiencies in  
4 the collocation application which, if cured, would make the  
5 collocation application complete. Upon receipt of a timely  
6 written notice that a collocation application is deficient, an  
7 applicant may take fifteen calendar days from receiving such  
8 notice to cure the specific deficiencies. If the applicant  
9 cures the deficiencies within fifteen calendar days, the  
10 collocation application shall be reviewed and processed within  
11 forty-five calendar days from the initial date the collocation  
12 application was received. If the applicant requires a period  
13 of time beyond fifteen calendar days to cure the specific  
14 deficiencies, the deadline for review and processing of the  
15 application shall be extended by the same period of time.

16     **b.** Make its final decision to approve or disapprove the  
17 collocation application.

18     **c.** Advise the applicant in writing of its final decision.

19     **3.** If the authority fails to act on a collocation  
20 application within the review period specified in subsection 2,  
21 the collocation application shall be deemed approved.

22     **4.** Notwithstanding any provision to the contrary, an  
23 authority shall not mandate, require, or regulate the  
24 installation, location, or use of a wireless facility on a  
25 utility pole.

26     **5.** A party aggrieved by the final action of an authority,  
27 either by its affirmative disapproval of an application under  
28 the provisions of this section or by its inaction, may bring an  
29 action for review in any court of competent jurisdiction.

30     **Sec. 29. NEW SECTION. 8C.8 Airport airspace safety.**

31     Nothing in this chapter shall be interpreted to prohibit  
32 an airport, aviation authority, or municipality from acting  
33 pursuant to the provisions of chapter 329.

34     **Sec. 30. NEW SECTION. 8C.9 Prohibition on moratoria.**

35     An authority shall not institute a moratorium on the

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1 permitting, construction, or issuance of approval of new  
2 wireless support structures unless the moratorium is instituted  
3 for ninety days or less and the action or actions establishing  
4 the moratorium state reasonable ground and good cause for the  
5 moratorium. An authority shall not institute more than two  
6 such moratoria in a five-year period.

7 Sec. 31. NEW SECTION. 8C.10 Severability.

8 If any provision of this chapter or the application thereof  
9 to any person or circumstance is held invalid, such invalidity  
10 shall not affect other provisions or applications of the  
11 chapter which can be given effect without the invalid provision  
12 or application, and to that end the provisions of this chapter  
13 are declared to be severable.

14 DIVISION VI

15 STEM INTERNSHIPS

16 Sec. 32. Section 15.411, subsection 3, Code 2014, is amended  
17 to read as follows:

18 3. a. The authority shall establish and administer an  
19 ~~innovative businesses~~ internship program with two components  
20 for Iowa students. For purposes of this subsection, "*Iowa*  
21 *student*" means a student of an Iowa community college, private  
22 college, or institution of higher learning under the control  
23 of the state board of regents, or a student who graduated from  
24 high school in Iowa but now attends an institution of higher  
25 learning outside the state of Iowa.

26 b. The purpose of the first component of the program is  
27 to link Iowa students to small and medium sized Iowa firms  
28 through internship opportunities. An Iowa employer may receive  
29 financial assistance in an amount of one dollar for every  
30 two dollars paid by the employer to an intern. The amount  
31 of financial assistance shall not exceed three thousand one  
32 hundred dollars for any single internship, or nine thousand  
33 three hundred dollars for any single employer. In order to be  
34 eligible to receive financial assistance under this ~~subsection~~  
35 paragraph, the employer must have five hundred or fewer

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1 employees and must be an innovative business. The authority  
2 shall encourage youth who reside in economically distressed  
3 areas, youth adjudicated to have committed a delinquent act,  
4 and youth transitioning out of foster care to participate in  
5 the first component of the internship program.

6 c. (1) The purpose of the second component of the program  
7 is to assist in placing Iowa students studying in the fields  
8 of science, technology, engineering, and mathematics into  
9 internships that lead to permanent positions with Iowa  
10 employers. The authority shall collaborate with eligible  
11 employers, including but not limited to innovative businesses,  
12 to ensure that the interns hired are studying in such fields.  
13 An Iowa employer may receive financial assistance in an amount  
14 of one dollar for every dollar paid by the employer to an  
15 intern. The amount of financial assistance shall not exceed  
16 five thousand dollars per internship. The authority may adopt  
17 rules to administer this component.

18 (2) The requirement to administer this component of the  
19 internship program is contingent upon the provision of funding  
20 for such purposes by the general assembly.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with  
23 the explanation's substance by the members of the general assembly.

24 This bill relates to and provides for the facilitation of  
25 broadband access in targeted unserved or underserved service  
26 areas of the state. The bill is titled the "Connect Every  
27 Iowan Act".

28 DIVISION I — LEGISLATIVE INTENT. The bill provides that the  
29 general assembly finds and declares that increasing the extent  
30 and availability of broadband infrastructure throughout the  
31 state facilitates the provision of internet access to citizens,  
32 businesses, and communities at speeds that promote economic  
33 development, employment, enhanced access to goods and services,  
34 increased educational and training opportunities, faster access  
35 to government services and health care, and improved overall

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1 information and community access for citizens.  
2 DIVISION II — STATEWIDE BROADBAND COORDINATION. The bill  
3 modifies provisions in Code chapter 8B, relating to the office  
4 of the chief information officer. The bill adds several  
5 definitions to the Code chapter for use in the Code chapter and  
6 in other related provisions. The bill defines "broadband" to  
7 mean a high-speed, high-capacity electronic transmission medium  
8 that can carry data signals from multiple independent network  
9 sources by establishing different bandwidth channels and that  
10 is commonly used to deliver internet services to the public.  
11 The bill defines "broadband infrastructure" to mean the  
12 physical infrastructure used for the transmission of data via  
13 broadband, including but not limited to any equipment, systems,  
14 switches, routers, wire, cable, satellite, conduits, servers,  
15 software, technology, base transceiver station sites, or other  
16 means of transmission or communication. The bill defines  
17 "communications service provider" to mean a service provider  
18 that provides broadband service. The bill defines "targeted  
19 underserved service area" to mean a United States census bureau  
20 census block located in Iowa, including any crop operation  
21 located within the census block, within which no communications  
22 service provider offers or facilitates broadband service at or  
23 above 25 megabits per second of download speed and 3 megabits  
24 per second of upload speed. The bill defines "targeted  
25 unserved service area" to mean a United States census bureau  
26 census block located in Iowa, including any crop operation  
27 located within the census block, within which no communications  
28 service provider offers or facilitates broadband service at or  
29 above 4 megabits per second of download speed and 1 megabit per  
30 second of upload speed. The bill defines "crop operation" by  
31 referencing a definition contained in Code section 717A.1 as  
32 meaning a commercial enterprise where a crop is maintained on  
33 the property of the commercial enterprise. Additionally, the  
34 bill adds broadband and broadband infrastructure to an existing  
35 definition of "information technology".





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1 The bill adds to the powers and duties of the chief  
2 information officer streamlining, consolidating, and  
3 coordinating access to and availability of broadband and  
4 broadband infrastructure throughout Iowa. This responsibility  
5 includes but is not limited to facilitating public-private  
6 partnerships, ensuring that state agencies' broadband and  
7 broadband infrastructure policies and procedures are aligned,  
8 promoting accountability, integrating broadband with cyber  
9 security standards and rules, resolving issues, collecting data  
10 and developing metrics or standards, and identifying options  
11 regarding the creation of standing broadband-related resources  
12 for stakeholders.

13 The bill provides that the determination of whether a  
14 provider's download and upload speeds are being met for  
15 purposes of the definitions of "targeted unserved service area"  
16 and "targeted underserved service area" shall be by reference  
17 to broadband availability maps or data sources identified by  
18 the office by rule. The bill directs the office to establish  
19 procedures to handle challenges to claims that the threshold  
20 download or upload speeds are being met, and provides that  
21 service areas with more than one communications service  
22 provider shall be subdivided.

23 Additionally, the bill specifies expeditious response  
24 requirements regarding the approval, modification, or  
25 disapproval of nonwireless broadband-related permits. The  
26 bill provides that, notwithstanding any other provision to  
27 the contrary, a political subdivision vested with permitting  
28 authority shall approve, approve with modification, or  
29 disapprove nonwireless broadband-related permits within 60  
30 business days following the submission of a permit application  
31 and fee. In the event that no action is taken during the 60-day  
32 period, the application shall be deemed approved.

33 The bill also requires the chief information officer to  
34 prepare an annual report regarding the status of broadband  
35 expansion and coordination, and adds the chief information

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1 officer to the Iowa technology and telecommunications  
2 commission which oversees the operation of the Iowa  
3 communications network and to the statewide interoperable  
4 communications system board established in Code section 80.28.  
5 Further, the bill adds an additional member to the board who  
6 is an emergency medical care provider, and deletes a provision  
7 that required the commission to consult with the director  
8 of the department of administrative services and the chief  
9 information officer when appointing the commission's executive  
10 director.

11 DIVISION III — INCOME TAX INCENTIVES. The bill provides  
12 two income tax incentives for the installation of broadband  
13 infrastructure. The first incentive authorizes a taxpayer  
14 to elect to claim an accelerated depreciation deduction on  
15 broadband infrastructure placed in service on or after July  
16 1, 2014, in a targeted unserved service area or a targeted  
17 underserved service area with regard to both individual and  
18 corporate taxation. The second incentive permits an individual  
19 and corporate income tax credit equal to 7 percent of the  
20 amount expended by a communications service provider for a new  
21 installation of broadband infrastructure completed on or after  
22 July 1, 2014, in a targeted unserved service area, and 3.5  
23 percent of the amount expended in an underserved service area,  
24 with credit not to exceed a maximum of \$500,000 per census  
25 block or \$3 million per installation.

26 DIVISION IV — PROPERTY TAX INCENTIVES AND ASSESSMENT.  
27 The bill provides a property tax exemption for broadband  
28 infrastructure newly installed within a targeted unserved  
29 or underserved service area on or after July 1, 2014. The  
30 exemption shall be a 100 percent exemption from taxation on the  
31 actual value added by the broadband infrastructure improvements  
32 for a period of 10 years. The bill specifies procedures  
33 relating to applying for and receiving prior approval for  
34 eligibility for the tax exemption from the governing body of  
35 the city or county within which the broadband infrastructure



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1 installation is proposed, and granting of the tax exemption.  
2 The bill additionally provides that a telephone and  
3 telegraph company with property in a majority of Iowa counties  
4 and a total actual value for the assessment years beginning  
5 January 1, 2013, and January 1, 2014, of \$780 million shall  
6 be valued as a unit according to the cost of acquiring  
7 or constructing at current prices a property that is the  
8 functional equivalent of an existing property less an allowance  
9 for depreciation for a period of 10 consecutive assessment  
10 years beginning January 1, 2015, in lieu of other valuation  
11 methodologies.

12 DIVISION V — UNIFORM CELL SITING. The bill contains a  
13 uniform cell siting division consisting of three primary  
14 components.

15 The first component provides a number of definitions  
16 pertaining to the siting of wireless support structures and  
17 the mounting of wireless facilities upon such structures. An  
18 "authority" is defined to mean a state, county, or municipal  
19 governing body, board, agency, office, or commission authorized  
20 by law to make legislative, quasi-judicial, or administrative  
21 decisions relative to the construction, installation,  
22 modification, or siting of wireless facilities or wireless  
23 support structures. A "wireless support structure" is defined  
24 as a structure designed to support wireless facilities,  
25 including but not limited to monopoles, towers, or other  
26 freestanding facilities, but not including utility poles. A  
27 "substantial modification" means the mounting of a proposed  
28 wireless facility on a wireless support structure which results  
29 in a specified increase in vertical height of the structure,  
30 or which results in a specified horizontal protrusion from  
31 the structure, or which increases the square footage of  
32 the existing compound more than a specified amount. A  
33 "collocation" means the placement or installation of wireless  
34 facilities on existing structures without the need to construct  
35 a new wireless support structure.

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1 The second component provides a series of uniform rules or  
2 limitations applicable to all applications, in order to ensure  
3 uniformity across the state with respect to the consideration  
4 of applications. The rules and limitations include but are  
5 not limited to prohibiting requiring information about an  
6 applicant's business decisions, evaluating an application  
7 based on the availability of other potential locations,  
8 dictating the type of wireless facilities, infrastructure, or  
9 technology to be used by an applicant, requiring the removal  
10 of existing wireless support structures or facilities as  
11 a condition of approval, imposing environmental testing,  
12 sampling, or monitoring requirements excluded under federal  
13 law, establishing or enforcing regulations or procedures for  
14 signal strength or service quality, charging fees not required  
15 for similar types of commercial development and which do not  
16 exceed specified levels, imposing surety requirements unless  
17 the authority imposes similar requirements on other applicants  
18 for other types of commercial development or land uses,  
19 condition approval of an application on the provision of space  
20 on or near the wireless support structure for authority or  
21 local government services at less than market rates, limiting  
22 the duration of the application's approval, and discriminating  
23 on the basis of ownership when promulgating rules or procedures  
24 for siting wireless facilities or evaluating applications.

25 The third component establishes timeframes within which  
26 an authority must act upon an application to construct a new  
27 wireless support structure, a substantial modification of a  
28 wireless support structure, or a collocation. Additionally,  
29 the bill provides that the wireless cell siting provisions  
30 shall not be interpreted to prohibit an airport, aviation  
31 authority, or municipality from acting pursuant to the  
32 provisions of Code chapter 329 dealing with airport zoning,  
33 and an authority shall not institute a moratorium on the  
34 permitting, construction or issuance of approval of new  
35 wireless support structures of over 90 days and the action



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1 or actions establishing the moratorium must state reasonable  
2 grounds and good cause. Further, the bill provides that  
3 an authority is limited to no more than two moratoria in a  
4 five-year period.

5 DIVISION VI — STEM INTERNSHIPS. The bill establishes a new  
6 component to an existing internship program within the economic  
7 development authority to assist in placing Iowa students  
8 studying in the fields of science, technology, engineering,  
9 and mathematics (STEM) into internships that lead to permanent  
10 positions with Iowa employers. The bill directs the authority  
11 to collaborate with eligible employers to ensure that the  
12 interns hired are studying in the specified fields, and  
13 provides that an Iowa employer may receive financial assistance  
14 in the amount of \$1 for every dollar paid by the employer to  
15 an intern, limited to an amount not exceeding \$5,000 for any  
16 single internship. The bill states that the requirement to  
17 establish the internships is contingent upon the provision of  
18 funding for such purposes by the general assembly.



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**House File 2473 - Introduced**

HOUSE FILE 2473  
BY COMMITTEE ON APPROPRIATIONS  
  
(SUCCESSOR TO HSB 688)

**A BILL FOR**

1 An Act relating to state and local finances by making  
2 appropriations, providing for legal responsibilities, and  
3 providing for other properly related matters.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I  
2 STANDING APPROPRIATIONS AND RELATED MATTERS  
3 Section 1. 2013 Iowa Acts, chapter 140, is amended by adding  
4 the following new section:  
5 NEW SECTION. SEC. 1A. BUDGET PROCESS FOR FISCAL YEAR  
6 2015-2016.  
7 1. For the budget process applicable to the fiscal year  
8 beginning July 1, 2015, on or before October 1, 2014, in lieu  
9 of the information specified in section 8.23, subsection 1,  
10 unnumbered paragraph 1, and paragraph "a", all departments and  
11 establishments of the government shall transmit to the director  
12 of the department of management, on blanks to be furnished by  
13 the director, estimates of their expenditure requirements,  
14 including every proposed expenditure, for the ensuing fiscal  
15 year, together with supporting data and explanations as called  
16 for by the director of the department of management after  
17 consultation with the legislative services agency.  
18 2. The estimates of expenditure requirements shall be  
19 in a form specified by the director of the department of  
20 management, and the expenditure requirements shall include all  
21 proposed expenditures and shall be prioritized by program or  
22 the results to be achieved. The estimates shall be accompanied  
23 by performance measures for evaluating the effectiveness of the  
24 programs or results.  
25 Sec. 2. 2013 Iowa Acts, chapter 140, is amended by adding  
26 the following new section:  
27 NEW SECTION. SEC. 3A. GENERAL ASSEMBLY.  
28 1. The appropriations made pursuant to section 2.12 for the  
29 expenses of the general assembly and legislative agencies for  
30 the fiscal year beginning July 1, 2014, and ending June 30,  
31 2015, are reduced by the following amount:  
32 ..... \$ 3,000,000  
33 2. The budgeted amounts for the general assembly for the  
34 fiscal year beginning July 1, 2014, may be adjusted to reflect  
35 unexpended budgeted amounts from the previous fiscal year.

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1     Sec. 3. 2013 Iowa Acts, chapter 140, section 6, is amended  
2 to read as follows:

3 SEC. 6. LIMITATIONS OF STANDING APPROPRIATIONS — FY  
4 2014-2015. Notwithstanding the standing appropriations  
5 in the following designated sections for the fiscal year  
6 beginning July 1, 2014, and ending June 30, 2015, the amounts  
7 appropriated from the general fund of the state pursuant to  
8 these sections for the following designated purposes shall not  
9 exceed the following amounts:

10 1. For operational support grants and community cultural  
11 grants under section 99F.11, subsection 3, paragraph "d",  
12 subparagraph (1):

13	.....	\$	<del>208,351</del>
14			416,702

~~2. For regional tourism marketing under section 99F.11,~~  
~~subsection 3, paragraph "d", subparagraph (2):~~

17 .....\$ 582,000

18     3. For payment for nonpublic school transportation under  
19 section 285.2:

20 ..... \$ 8,560,931

21 If total approved claims for reimbursement for nonpublic  
22 school pupil transportation exceed the amount appropriated in  
23 accordance with this subsection, the department of education  
24 shall prorate the amount of each approved claim.

25 4. For the enforcement of chapter 453D relating to tobacco  
26 product manufacturers under section 453D.8:

27	.....	\$	9,208
28			18,416

29       Sec. 4. Section 257.35, Code 2014, is amended by adding the  
30 following new subsection:

31 NEW SUBSECTION. 8A. Notwithstanding subsection 1, and in  
32 addition to the reduction applicable pursuant to subsection  
33 2, the state aid for area education agencies and the portion  
34 of the combined district cost calculated for these agencies  
35 for the fiscal year beginning July 1, 2014, and ending June

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1 30, 2015, shall be reduced by the department of management  
2 by thirteen million dollars. The reduction for each area  
3 education agency shall be prorated based on the reduction that  
4 the agency received in the fiscal year beginning July 1, 2003.

5 DIVISION II

6 CLAIMS AGAINST THE STATE AND BY THE STATE

7 Sec. 5. Section 8.55, subsection 3, paragraph a, Code 2014,  
8 is amended to read as follows:

9 a. Except as provided in paragraphs "b", "c", and "d", and  
10 "0e", the moneys in the Iowa economic emergency fund shall  
11 only be used pursuant to an appropriation made by the general  
12 assembly. An appropriation shall only be made for the fiscal  
13 year in which the appropriation is made. The moneys shall  
14 only be appropriated by the general assembly for emergency  
15 expenditures.

16 Sec. 6. Section 8.55, subsection 3, Code 2014, is amended by  
17 adding the following new paragraph:

18 NEW PARAGRAPH. 0e. There is appropriated from the Iowa  
19 economic emergency fund to the state appeal board an amount  
20 sufficient to pay claims authorized by the state appeal board  
21 as provided in section 25.2.

22 Sec. 7. Section 25.2, subsection 4, Code 2014, is amended  
23 to read as follows:

24 4. Payments authorized by the state appeal board shall be  
25 paid from the appropriation or fund of original certification  
26 of the claim. However, if that appropriation or fund has since  
27 reverted under section 8.33, then such payment authorized by  
28 the state appeal board shall be ~~out of any money in the state~~  
29 ~~treasury not otherwise appropriated~~ as follows:

30 a. From the appropriation made from the Iowa economic  
31 emergency fund in section 8.55 for purposes of paying such  
32 expenses.

33 b. To the extent the appropriation from the Iowa economic  
34 emergency fund described in paragraph "a" is insufficient to  
35 pay such expenses, there is appropriated from moneys in the



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1 general fund of the state not otherwise appropriated the amount  
2 necessary to fund the deficiency.

3 DIVISION III

4 MISCELLANEOUS PROVISIONS

5 Sec. 8. Section 8.9, subsection 2, paragraph a, Code 2014,  
6 is amended to read as follows:

7 a. All grant applications submitted and grant moneys  
8 received by a department on behalf of the state shall be  
9 reported to the office of grants enterprise management. The  
10 office shall by ~~January 31~~ December 1 of each year submit  
11 to the fiscal services division of the legislative services  
12 agency a written report listing all grants received during the  
13 ~~previous calendar~~ most recently completed federal fiscal year  
14 with a value over one thousand dollars and the funding entity  
15 and purpose for each grant. However, the reports on grants  
16 filed by the state board of regents pursuant to section 8.44  
17 shall be deemed sufficient to comply with the requirements of  
18 this subsection. In addition, each department shall submit  
19 and the office shall report, as applicable, for each grant  
20 applied for or received and other federal moneys received the  
21 expected duration of the grant or the other moneys, maintenance  
22 of effort or other matching fund requirements throughout and  
23 following the period of the grant or the other moneys, the  
24 sources of the federal funding and any match funding, any  
25 policy, program, or operational requirement associated with  
26 receipt of the funding, a status report on changes anticipated  
27 in the federal requirements associated with the grant or other  
28 federal funding during the fiscal year in progress and the  
29 succeeding fiscal year, and any other information concerning  
30 the grant or other federal funding that would be helpful in the  
31 development of policy or budget decisions. The fiscal services  
32 division of the legislative services agency shall compile the  
33 information received for consideration by the standing joint  
34 appropriations subcommittees of the general assembly.

35 DIVISION IV

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CORRECTIVE PROVISIONS

1  
2 Sec. 9. Section 123.47, subsection 1A, paragraph c,  
3 subparagraph (2), as enacted by 2014 Iowa Acts, Senate File  
4 2310, section 1, is amended to read as follows:

5 (2) A person under legal age who consumes or possesses any  
6 alcoholic liquor, wine, or beer in connection with a religious  
7 observance, ceremony, or ~~right~~ rite.

8 Sec. 10. Section 422.33, subsection 4, paragraph c, Code  
9 2014, as amended by 2014 Iowa Acts, Senate File 2240, section  
10 87, and redesignated as paragraph b, subparagraph (3), is  
11 amended to read as follows:

12 (3) Subtract an exemption amount of forty thousand dollars.  
13 This exemption amount shall be reduced, but not below zero,  
14 by an amount equal to twenty-five percent of the amount by  
15 which the alternative minimum taxable income of the taxpayer,  
16 computed without regard to the exemption amount in this  
17 ~~paragraph~~ subparagraph, exceeds one hundred fifty thousand  
18 dollars.

19 Sec. 11. Section 508.36, subsection 13, paragraph d,  
20 subparagraph (1), subparagraph division (c), as enacted by 2014  
21 Iowa Acts, Senate File 2131, section 9, is amended to read as  
22 follows:

23 (c) Minimum reserves for all other policies ~~of~~ or contracts  
24 subject to subsection 1, paragraph ~~"b"~~.

25 Sec. 12. Section 508.36, subsection 16, paragraph c,  
26 subparagraph (3), as enacted by 2014 Iowa Acts, Senate File  
27 2131, section 9, is amended to read as follows:

28 (3) Once any portion of a memorandum in support of an  
29 opinion submitted under subsection 2 or a principle-based  
30 valuation report developed under subsection 14, paragraph ~~"b"~~,  
31 subparagraph (3), is cited by a company in its marketing or is  
32 publicly volunteered to or before a governmental agency other  
33 than a state insurance department or is released by the company  
34 to the news media, all portions ~~of~~ of such memorandum or report  
35 shall no longer be confidential information.



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1 Sec. 13. Section 508.37, subsection 6, paragraph h,  
2 subparagraph (8), as enacted by 2014 Iowa Acts, Senate File  
3 2131, section 13, is amended to read as follows:

4 (8) For policies issued on or after the operative date of  
5 the valuation manual, the valuation manual shall provide the  
6 Commissioners Standard Mortality Table for use in determining  
7 the minimum nonforfeiture standard that may be substituted for  
8 the Commissioners 1961 Standard Industrial Mortality Table  
9 or the Commissioners 1961 Industrial Extended Term Insurance  
10 Table. If the commissioner approves by ~~regulation~~ rule any  
11 Commissioners Standard Industrial Mortality Table adopted by  
12 the national association of insurance commissioners for use in  
13 determining the minimum nonforfeiture standard for policies  
14 issued on or after the operative date of the valuation manual,  
15 then that minimum nonforfeiture standard supersedes the minimum  
16 nonforfeiture standard provided by the valuation manual.

17 Sec. 14. Section 537.1301, subsection 46, as enacted by 2014  
18 Iowa Acts, House File 2324, section 17, is amended to read as  
19 follows:

20 46. "*Threshold amount*" means the threshold amount, as  
21 determined by 12 C.F.R. ~~§226.3(b)~~ §1026.3(b), in effect during  
22 the period the consumer credit transaction was entered into.

23 Sec. 15. 2014 Iowa Acts, Senate File 2257, section 15, is  
24 amended by striking the section and inserting in lieu thereof  
25 the following:

26 SEC. 15. REPEAL. Sections 261.17A, 261.22, 261.39, 261.41,  
27 261.44, 261.48, 261.54, 261.81A, and 261.82, Code 2014, are  
28 repealed.

29 Sec. 16. REPEAL. 2014 Iowa Acts, House File 2423, section  
30 159, is repealed.

31 DIVISION V

32 GENERAL ASSEMBLY PUBLICATIONS PROVISIONS

33 Sec. 17. Section 2.42, subsection 13, Code 2014, is amended  
34 to read as follows:

35 13. To establish policies with regard to publishing

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1 printed and electronic versions of legal publications as  
2 provided in chapters 2A and 2B, including the Iowa Acts, Iowa  
3 Code, ~~Code Supplement~~, Iowa administrative bulletin, Iowa  
4 administrative code, and Iowa court rules, or any part of those  
5 publications. The publishing policies may include, but are not  
6 limited to: the style and format to be used; the frequency of  
7 publication; the contents of the publications; the numbering  
8 systems to be used; the preparation of editorial comments or  
9 notations; the correction of errors; the type of print or  
10 electronic media and data processing software to be used; the  
11 number of volumes to be published; recommended revisions;  
12 the letting of contracts for publication; the pricing of the  
13 publications to which section 22.3 does not apply; access  
14 to, and the use, reproduction, legal protection, sale or  
15 distribution, and pricing of related data processing software  
16 consistent with chapter 22; and any other matters deemed  
17 necessary to the publication of uniform and understandable  
18 publications.

19 Sec. 18. Section 2A.1, subsection 2, paragraph d,  
20 unnumbered paragraph 1, Code 2014, is amended to read as  
21 follows:

22 Publication of the official legal publications of the state,  
23 including but not limited to the Iowa Acts, Iowa Code, ~~Code~~  
24 ~~Supplement~~, Iowa administrative bulletin, Iowa administrative  
25 code, and Iowa court rules as provided in chapter 2B. The  
26 legislative services agency shall do all of the following:

27 Sec. 19. Section 2A.5, subsection 2, paragraph b, Code 2014,  
28 is amended by striking the paragraph.

29 Sec. 20. Section 2A.5, Code 2014, is amended by adding the  
30 following new subsection:

31 NEW SUBSECTION. 2A. The legislative services agency shall  
32 publish annually an electronic or printed version of the roster  
33 of state officials. The roster of state officials shall  
34 include a correct list of state officers and deputies; members  
35 of boards and commissions; justices of the supreme court,

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1 judges of the court of appeals, and judges of the district  
2 courts including district associate judges and judicial  
3 magistrates; and members of the general assembly. The office  
4 of the governor shall cooperate in the preparation of the list.

5 Sec. 21. Section 2B.5, subsection 3, Code 2014, is amended  
6 by striking the subsection.

7 Sec. 22. Section 2B.5A, subsection 2, Code 2014, is amended  
8 to read as follows:

9 2. In consultation with the administrative rules  
10 coordinator, the administrative code editor shall prescribe a  
11 uniform style and form required for a person filing a document  
12 for publication in the Iowa administrative bulletin or the  
13 Iowa administrative code, including but not limited to a  
14 rulemaking document. A rulemaking document includes a notice  
15 of intended action as provided in section 17A.4 or an adopted  
16 rule for filing as provided in section 17A.5. The rulemaking  
17 document shall correlate each rule to the uniform numbering  
18 system established by the administrative code editor. The  
19 administrative code editor shall provide for the publication of  
20 an electronic publication version of the Iowa administrative  
21 bulletin and the Iowa administrative code. The administrative  
22 code editor shall review all submitted documents for style  
23 and form and notify the administrative rules coordinator if a  
24 rulemaking document is not in proper style or form, and may  
25 return or revise a document which is not in proper style and  
26 form. The style and form prescribed shall require that a  
27 rulemaking document include a reference to the statute which  
28 the rules are intended to implement.

29 Sec. 23. Section 2B.5A, subsection 6, paragraph a,  
30 subparagraph (2), subparagraph division (b), Code 2014, is  
31 amended to read as follows:

32 (b) A print ~~edition~~ version may include an index.

33 Sec. 24. Section 2B.5B, subsection 2, Code 2014, is amended  
34 to read as follows:

35 2. The administrative code editor, upon direction by

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1 the Iowa supreme court and in accordance with the policies  
2 of the legislative council pursuant to section 2.42 and the  
3 legislative services agency pursuant to section 2A.1, shall  
4 prescribe a uniform style and form required for filing a  
5 document for publication in the Iowa court rules. The document  
6 shall correlate each rule to the uniform numbering system. The  
7 administrative code editor shall provide for the publication  
8 of an electronic publication version of the Iowa court rules.  
9 The administrative code editor shall review all submitted  
10 documents for style and form and notify the Iowa supreme court  
11 if a rulemaking document is not in proper style or form, and  
12 may return or revise a document which is not in proper style  
13 and form.

14 Sec. 25. Section 2B.5B, subsection 3, paragraph b,  
15 subparagraph (2), subparagraph division (b), Code 2014, is  
16 amended to read as follows:

17 (b) A print version ~~shall~~ may include an index.

18 Sec. 26. Section 2B.6, subsection 2, paragraph b, Code 2014,  
19 is amended to read as follows:

20 *b.* The Iowa Code ~~or Code Supplement~~, as provided in section  
21 2B.12.

22 Sec. 27. Section 2B.12, Code 2014, is amended to read as  
23 follows:

24 **2B.12 Iowa Code and Code Supplement.**

25 1. The legislative services agency shall control and  
26 maintain in a secure electronic repository custodial  
27 information used to publish the Iowa Code.

28 2. The legislative services agency shall publish an annual  
29 edition of the Iowa Code as soon as possible after the final  
30 adjournment of a regular or special session of a general  
31 assembly. ~~However, the legislative services agency may publish~~  
32 ~~a new Code Supplement in lieu of the Iowa Code as soon as~~  
33 ~~possible after the final adjournment of a regular session of a~~  
34 ~~general assembly. The legislative services agency may publish~~  
35 ~~a new edition of the Iowa Code or Code Supplement as soon as~~

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1 ~~possible after the final adjournment of a special session of~~  
2 ~~the general assembly.~~

3 3. An edition of the Iowa Code ~~or Code Supplement~~ shall  
4 contain each Code section in its new or amended form. However,  
5 a new section or amendment which does not take effect until  
6 after the probable publication date of a succeeding Iowa Code  
7 ~~or Code Supplement~~ may be deferred for publication in that  
8 succeeding Iowa Code ~~or Code Supplement~~. The sections shall  
9 be inserted in each edition in a logical order as determined  
10 by the Iowa Code editor in accordance with the policies of the  
11 legislative council.

12 4. Each section of an Iowa Code ~~or Code Supplement~~ shall be  
13 indicated by a number printed in boldface type and shall have  
14 an appropriate headnote printed in boldface type.

15 5. The Iowa Code shall include all of the following:

16 a. The Declaration of Independence.

17 b. The Articles of Confederation.

18 c. The Constitution of the United States.

19 d. The laws of the United States relating to the  
20 authentication of records.

21 e. The Constitution of the State of Iowa, original and  
22 codified versions.

23 f. The Act admitting Iowa into the union as a state.

24 g. The arrangement of the Code into distinct units, as  
25 established by the legislative services agency, which may  
26 include titles, subunits of titles, chapters, subunits of  
27 chapters, and sections, and subunits of sections. The distinct  
28 units shall be numbered and may include names.

29 h. All of the statutes of Iowa of a general and permanent  
30 nature, except as provided in subsection 3.

31 i. A comprehensive method to search and identify its  
32 contents, including the text of the Constitution and statutes  
33 of the State of Iowa.

34 (1) An electronic version may include search and retrieval  
35 programming, analysis of titles and chapters, and an index and

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1 a summary index.  
2 (2) A print version shall include an analysis of titles and  
3 chapters, and may include an index and a summary index.  
4 6. The Iowa Code may include all of the following:  
5 a. A preface.  
6 b. A description of citations to statutes.  
7 c. Abbreviations to other publications which may be referred  
8 to in the Iowa Code.  
9 d. Appropriate historical references or source notes.  
10 e. An analysis of the Code by titles and chapters.  
11 f. Other reference materials as determined by the Iowa  
12 Code editor in accordance with any policies of the legislative  
13 council.  
14 ~~7. A Code Supplement shall include all of the following:~~  
15 ~~a. The text of statutes of Iowa of a general and permanent~~  
16 ~~nature that were enacted during the preceding regular or~~  
17 ~~special session, except as provided in subsection 3; an~~  
18 ~~indication of all sections repealed during that session;~~  
19 ~~and any amendments to the Constitution of the State of Iowa~~  
20 ~~approved by the voters since the adjournment of the previous~~  
21 ~~regular session of the general assembly.~~  
22 ~~b. A chapter title and number for each chapter or part of a~~  
23 ~~chapter included.~~  
24 ~~c. A comprehensive method to search and identify its~~  
25 ~~contents, including the text of statutes and the Constitution~~  
26 ~~of the State of Iowa.~~  
27 ~~(1) An electronic version may include search and retrieval~~  
28 ~~programming and an index and a summary index.~~  
29 ~~(2) A print version may include an index and a summary~~  
30 ~~index.~~  
31 ~~8.~~ 7. The Iowa Code ~~or Code Supplement~~ may include  
32 appropriate tables showing the disposition of Acts of the  
33 general assembly, the corresponding sections from edition to  
34 edition of an Iowa Code ~~or Code Supplement~~, and other reference  
35 material as determined by the Iowa Code editor in accordance

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1 with policies of the legislative council.

2     8. In lieu of or in addition to publishing an annual  
3 edition of the Iowa Code, the legislative services agency,  
4 in accordance with the policies of the legislative council,  
5 may publish a supplement to the Iowa Code, as necessary or  
6 desirable, in a manner similar to the publication of an annual  
7 edition of the Iowa Code.

8     Sec. 28. Section 2B.13, subsection 1, unnumbered paragraph  
9 1, Code 2014, is amended to read as follows:

10     The Iowa Code editor in preparing the copy for an edition  
11 of the Iowa Code ~~or Code Supplement~~ shall not alter the sense,  
12 meaning, or effect of any Act of the general assembly, but may:

13     Sec. 29. Section 2B.13, subsection 1, paragraph f, Code  
14 2014, is amended to read as follows:

15     *f.* Transfer, divide, or combine sections or parts of  
16 sections and add or ~~amend~~ revise headnotes to sections and  
17 ~~subsections~~ section subunits. Pursuant to section 3.3, the  
18 headnotes are not part of the law.

19     Sec. 30. Section 2B.13, subsection 3, paragraph a, Code  
20 2014, is amended to read as follows:

21     *a.* The Iowa Code editor may, in preparing the copy for  
22 an edition of the Iowa Code ~~or Code Supplement~~, establish  
23 standards for and change capitalization, spelling, and  
24 punctuation in any provision for purposes of uniformity and  
25 consistency in language.

26     Sec. 31. Section 2B.13, subsection 4, paragraph a, Code  
27 2014, is amended to read as follows:

28     *a.* The Iowa Code editor shall seek direction from the senate  
29 committee on judiciary and the house committee on judiciary  
30 when making Iowa Code ~~or Code Supplement~~ changes.

31     Sec. 32. Section 2B.13, subsection 5, Code 2014, is amended  
32 to read as follows:

33     5. The Iowa Code editor may prepare and publish comments  
34 deemed necessary for a proper explanation of the manner of  
35 ~~printing~~ publishing a section or chapter of the Iowa Code

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1 ~~or Code Supplement~~. The Iowa Code editor shall maintain a  
2 record of all of the corrections made under subsection 1. The  
3 Iowa Code editor shall also maintain a separate record of the  
4 changes made under subsection 1, paragraphs "b" through "h".  
5 The records shall be available to the public.

6 Sec. 33. Section 2B.13, subsection 7, paragraph a, Code  
7 2014, is amended to read as follows:

8 a. The effective date of an edition of the Iowa Code or  
9 of a supplement to the Iowa Code Supplement or an edition  
10 of the Iowa administrative code is its publication date. A  
11 publication date is the date the publication is conclusively  
12 presumed to be complete, incorporating all revisions or  
13 editorial changes.

14 Sec. 34. Section 2B.13, subsection 7, paragraph b,  
15 subparagraph (1), Code 2014, is amended to read as follows:

16 (1) For the Iowa Code or a supplement to the Iowa Code  
17 ~~Supplement~~, the publication date is the first day of the next  
18 regular session of the general assembly convened pursuant to  
19 Article III, section 2, of the Constitution of the State of  
20 Iowa. However, the legislative services agency may establish  
21 an alternative publication date, which may be the date that  
22 the publication is first available to the public accessing the  
23 general assembly's internet site. The legislative services  
24 agency shall provide notice of such an alternative publication  
25 date on the general assembly's internet site.

26 Sec. 35. Section 2B.17, subsection 2, paragraph b, Code  
27 2014, is amended to read as follows:

28 b. For statutes, the official versions of publications  
29 shall be known as the Iowa Acts, the Iowa Code, and the Code  
30 Supplement for supplements for the years 1979 through 2011.

31 Sec. 36. Section 2B.17, subsection 4, paragraph c, Code  
32 2014, is amended to read as follows:

33 c. The Iowa Code shall be cited as the Iowa Code. ~~The~~  
34 ~~Code Supplement~~ Supplements to the Iowa Code published for the  
35 years 1979 through 2011 shall be cited as the Code Supplement.

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1 Subject to the legislative services agency style manual, the  
2 Iowa Code may be cited as the Code of Iowa or Code and the  
3 Code Supplement may be cited as the Iowa Code Supplement, with  
4 references identifying parts of the publication, including  
5 but not limited to title or chapter, section, or subunit of a  
6 section. If the citation refers to a past edition of the Iowa  
7 Code or Code Supplement, the citation shall identify the year  
8 of publication. The legislative services agency style manual  
9 shall provide for a citation form for any supplements to the  
10 Iowa Code published after the year 2013.

11 Sec. 37. Section 2B.18, subsection 1, Code 2014, is amended  
12 to read as follows:

13 1. The Iowa Code editor is the custodian of the official  
14 legal publications known as the Iowa Acts, Iowa Code, and Code  
15 Supplement for supplements to the Iowa Code for the years 1979  
16 through 2011, and for any other supplements to the Iowa Code.  
17 The Iowa Code editor may attest to and authenticate any portion  
18 of such official legal publication for purposes of admitting  
19 a portion of the official legal publication in any court or  
20 office of any state, territory, or possession of the United  
21 States or in a foreign jurisdiction.

22 Sec. 38. Section 3.1, subsection 1, paragraphs a and b, Code  
23 2014, are amended to read as follows:

24 a. Shall refer to the numbers of the sections or chapters  
25 of the Code ~~or Code Supplement~~ to be amended or repealed, but  
26 it is not necessary to refer to the sections or chapters in the  
27 title.

28 b. Shall refer to the session of the general assembly and  
29 the sections and chapters of the Acts to be amended if the bill  
30 relates to a section or sections of an Act not appearing in the  
31 Code ~~or codified in a supplement to the Code.~~

32 Sec. 39. Section 3.3, Code 2014, is amended to read as  
33 follows:

34 **3.3 Headnotes and historical references.**

35 1. Proper headnotes may be placed at the beginning of a

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1 section of a bill or at the beginning of a Code section, and at  
2 the end of a Code section there may be placed a reference to  
3 the section number of the Code, or any Iowa Act from which the  
4 matter of the Code section was taken or Code section subunit.  
5 However, except as provided for the uniform commercial code  
6 pursuant to section 554.1107, headnotes shall not be considered  
7 as part of the law as enacted.  
8 2. At the end of a Code section there may be placed a  
9 reference to the section number of the Code, or any Iowa  
10 Act from which the matter of the Code section was taken.  
11 Historical references shall not be considered as a part of the  
12 law as enacted.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with  
15 the explanation's substance by the members of the general assembly.

16 This bill relates to state and local finances by making  
17 appropriations. The bill is organized by divisions.

18 STANDING APPROPRIATIONS AND RELATED MATTERS

19 For the budget process applicable to FY 2015-2016, state  
20 agencies are required to submit estimates and other expenditure  
21 information as called for by the director of the department of  
22 management instead of information required under Code section  
23 8.23.

24 The bill reduces the standing appropriation for FY 2014-2015  
25 made for expenses of the general assembly under Code section  
26 2.12.

27 The bill increases limits in standing appropriations for  
28 FY 2014-2015 made for casino wagering tax proceeds allocated  
29 for department of cultural affairs operational support grants  
30 and community cultural grants and for the enforcement of Code  
31 chapter 452D relating to tobacco product manufacturers. The  
32 bill eliminates a limit in standing appropriations for FY  
33 2014-2015 made for casino wagering tax proceeds allocated for  
34 regional tourism marketing.

35 The bill reduces state aid for area education agencies and

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1 the portion of the combined district cost calculated for these  
2 agencies for FY 2014-2015 by \$13 million.

3 CLAIMS AGAINST THE STATE AND BY THE STATE

4 Payments authorized by the state appeal board are paid  
5 under current law from the appropriation or fund of original  
6 certification of the claim. The bill provides that if  
7 such appropriation or fund has since reverted, then such  
8 payment is from the Iowa economic emergency fund and then  
9 the general fund of the state if the Iowa economic emergency  
10 fund is insufficient. The bill creates a standing unlimited  
11 appropriation from the Iowa economic emergency fund to the  
12 state appeal board for the payment of such claims.

13 MISCELLANEOUS PROVISIONS

14 This division includes miscellaneous provisions.

15 Code section 8.9, relating to the grants enterprise  
16 management office, is amended to expand the information items  
17 state agencies are required to submit concerning federal block  
18 and categorical grant funding applied for or received and other  
19 federal moneys received. In addition, the time period and  
20 submission date for an annual report to the fiscal services  
21 division of the legislative services agency is revised.

22 CORRECTIVE PROVISIONS

23 The bill contains a corrective provisions division which  
24 makes corrections to bills passed during the 2014 regular  
25 session.

26 Code section 123.47(1A)(c)(2), as enacted by 2014 Iowa Acts,  
27 Senate File 2310, section 1, is amended to replace the word  
28 "right" with the word "rite" in this provision relating to the  
29 consumption or possession of alcoholic beverages in connection  
30 with a religious observance, ceremony, or rite.

31 Code section 422.33(4)(c), as amended and redesignated as a  
32 subparagraph by 2014 Iowa Acts, Senate File 2240, section 87,  
33 is amended to correct an internal reference to the subparagraph  
34 itself, rather than to the larger lettered paragraph, in a  
35 provision relating to the calculation of the exemption amount

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1 to the alternative minimum tax for corporations.

2 Code section 508.36(13)(d)(1)(c), as enacted by 2014 Iowa  
3 Acts, Senate File 2131, section 9, is amended to correctly  
4 refer to "policies or contracts", instead of "policies of  
5 contracts". The amendment makes the language consistent with  
6 the language contained in Code section 508.36(1)(b) that is  
7 referenced in the subparagraph division.

8 Code section 508.36(16)(c)(3), as enacted by 2014 Iowa  
9 Acts, Senate File 2131, section 9, is amended to correctly  
10 refer to "all portions of such memorandum or report" instead  
11 of "all portions or such memorandum or report". This is  
12 consistent with similar language contained in Code section  
13 508.36(2)(a)(4)(h)(ii), as enacted by 2014 Iowa Acts, Senate  
14 File 2131, section 3.

15 Code section 508.37(6)(h)(8), as enacted by 2014 Iowa  
16 Acts, Senate File 2131, section 13, is amended to correctly  
17 refer to rules rather than regulations of the commissioner of  
18 insurance, in this provision relating to the commissioner's  
19 approval of the use of a mortality table adopted by the  
20 national association of insurance commissioners to determine  
21 nonforfeiture standards for life insurance policies regulated  
22 under Code chapter 508. The amendment results in the inclusion  
23 of identical language regarding rules in both sections 12 and  
24 13 of Senate File 2131.

25 Code section 537.1301(46), as enacted by 2014 Iowa Acts,  
26 House File 2324, section 17, is amended to correct a reference  
27 to the Code of Federal Regulations relating to the definition  
28 of "threshold amount".

29 2014 Iowa Acts, Senate File 2257, section 15, is amended to  
30 correct a reference to the 2014 Iowa Code in a bill section  
31 that repeals several Code sections relating to the college  
32 student aid commission.

33 2014 Iowa Acts, House File 2423, section 159, which attempts  
34 to correct an internal reference to Code section 161A.44, is  
35 repealed. Section 34 of the introduced version of House File

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1 2423, which renumbered Code section 161A.44, was stricken by  
2 an amendment sponsored by the house committee on judiciary.  
3 Section 159 is therefore unnecessary.

4       GENERAL ASSEMBLY PUBLICATIONS PROVISIONS

5       The 2014 Iowa Code, the latest edition of the Iowa Code,  
6 was published after the adjournment of the general assembly's  
7 2013 regular session in its entirety. This new electronic-only  
8 publication replaces the Code Supplement edition, which  
9 heretofore was published and printed between sessions of  
10 the same general assembly and included only new or amended  
11 sections of the Iowa Code. Copies of the official form of  
12 the publication are presented on CD-ROM and on the general  
13 assembly's internet site.

14       Provisions of the bill recognize this new protocol for  
15 publication of the Iowa Code every year in its entirety and  
16 for citations to the annual publication of the Iowa Code in  
17 bills and elsewhere. The bill preserves the authority of the  
18 legislative services agency, in accordance with policies of the  
19 legislative council, to publish supplements to the Iowa Code,  
20 as necessary or desirable, and to provide for citations to such  
21 supplements.

22       Current law, in Code sections 2B.13 and 3.3, authorizes the  
23 placement of headnotes only at the beginning of a Code section  
24 or subsection and provides that such headnotes shall not be  
25 considered part of the law. Past and current legislative  
26 drafting practice, however, provides for placement of headnotes  
27 at the beginning of lettered paragraphs and other Code section  
28 subunits. The bill amends the current law to provide clear  
29 authority for the general assembly to include and the Iowa Code  
30 editor to add or revise headnotes to Code section subunits.

31       The bill makes corrective changes regarding the publication  
32 duties of the legislative services agency by correctly placing  
33 the duty to publish the roster of state officials with the  
34 legislative services agency rather than with the administrative  
35 code editor; by referring to electronic documents of official

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1 publications as electronic versions rather than electronic  
2 publications; and by providing that print versions of the Iowa  
3 Code and Iowa court rules may but are not required to include  
4 indexes.



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House Amendment to  
Senate File 2342

S-5156

- 1 Amend Senate File 2342, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 17, by striking lines 22 through 29.  
4 2. Page 17, after line 31 by inserting:  
5 <DIVISION \_\_\_\_\_  
6 UNCLAIMED LIFE INSURANCE DEATH BENEFITS  
7 Sec. \_\_\_\_\_. NEW SECTION. 507B.4C Unclaimed life  
8 insurance.  
9 1. *Purpose.* The purpose of this section is to  
10 require complete and proper disclosure, transparency,  
11 and accountability relating to any method of payment  
12 for life insurance death benefits regulated by the  
13 commissioner.  
14 2. *Definitions.* As used in this section, unless  
15 the context otherwise requires:  
16 a. "Account owner" means the owner of a retained  
17 asset account who is a resident of this state.  
18 b. "Annuity" means an annuity contract issued in  
19 this state. "Annuity" does not include any annuity  
20 contract used to fund an employment-based retirement  
21 plan or program where the insurer takes direction from  
22 the plan sponsor or plan administrator.  
23 c. "Authorized person" means a policy owner,  
24 insured, annuity owner, annuitant, or account holder,  
25 as applicable under a policy, annuity, or retained  
26 asset account.  
27 d. "Death master file" means the United States  
28 social security administration's death master file  
29 or any other database or service that is at least as  
30 comprehensive as the United States social security  
31 administration's death master file for determining that  
32 a person has died.  
33 e. "Death master file match" means a search of  
34 the death master file that results in a match of an  
35 authorized person's name and social security number or  
36 an authorized person's name and date of birth.  
37 f. "Insurer" means a life insurance company  
38 regulated under chapter 508.  
39 g. "Policy" means any policy or certificate of life  
40 insurance issued in this state. "Policy" does not  
41 include any of the following:  
42 (1) A policy or certificate of life insurance which  
43 provides a death benefit under an employee benefit  
44 plan subject to the federal Employee Retirement Income  
45 Security Act of 1974, Pub. L. No. 93-406, as codified  
46 at 29 U.S.C. §1002 et seq.  
47 (2) A policy or certificate of life insurance which  
48 provides a death benefit under an employee benefit plan  
49 subject to a federal employee benefit program.  
50 (3) A policy or certificate of life insurance

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1 which is used to fund a preneed plan for cemetery  
2 merchandise, funeral merchandise, funeral services, or  
3 a combination thereof.  
4 (4) A policy or certificate of credit life or  
5 accidental death insurance.  
6 (5) A policy issued to a group master policyowner  
7 for which the insurer does not provide recordkeeping  
8 services.  
9 *h. "Recordkeeping services" means services provided*  
10 *by an insurer who has entered into an agreement with a*  
11 *group policy customer to be responsible for obtaining,*  
12 *maintaining, and administering in the insurer's own*  
13 *recordkeeping systems at least all of the following*  
14 *information about each individual insured under*  
15 *the insured's group insurance contract or a line of*  
16 *coverage thereunder:*  
17 (1) Social security number or name and date of  
18 birth.  
19 (2) Beneficiary designation information.  
20 (3) Coverage eligibility.  
21 (4) Benefit amount.  
22 (5) Premium payment status.  
23 *i. "Retained asset account" means an*  
24 *interest-bearing account set up by an insurer in*  
25 *the name of the beneficiary of a policy or annuity upon*  
26 *the death of the insured.*  
27 *3. Insurer duties.*  
28 *a. For any in-force policy, annuity, or retained*  
29 *asset account issued for delivery in this state for*  
30 *which the insurer has not previously been notified of*  
31 *a claim, an insurer shall perform a comparison of such*  
32 *policy, annuity, or retained asset account against the*  
33 *death master file, on at least a semiannual basis, to*  
34 *identify potential death master file matches.*  
35 (1) An insurer may comply with the requirements of  
36 this subsection by using the full death master file for  
37 the initial comparison and thereafter using the death  
38 master file update files for subsequent comparisons.  
39 (2) Nothing in this section shall be interpreted to  
40 limit the right of an insurer to request a valid death  
41 certificate as part of any claims validation process.  
42 *b. If an insurer learns of the possible death of an*  
43 *authorized person through a death master file match or*  
44 *otherwise, the insurer shall, within ninety days, do*  
45 *all of the following:*  
46 (1) Complete a good faith effort, which shall be  
47 documented by the insurer, to confirm the death of the  
48 authorized person against other available records and  
49 information.  
50 (2) Review the insurer's records to determine

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1 whether the deceased authorized person had purchased  
2 any other products from the insurer.  
3 (3) Determine whether benefits may be due in  
4 accordance with the applicable policy, annuity, or  
5 retained asset account.  
6 (4) If the beneficiary or an authorized person  
7 has not communicated with the insurer within the  
8 ninety-day period, take reasonable steps, which shall  
9 be documented by the insurer, to locate and contact any  
10 beneficiary or other authorized person on the policy,  
11 annuity, or retained asset account, including sending  
12 the beneficiary or other authorized person information  
13 regarding the insurer's claims process and regarding  
14 the need to provide an official death certificate, if  
15 applicable under the policy, annuity, or retained asset  
16 account.  
17 c. Every insurer shall implement procedures to  
18 account for all of the following:  
19 (1) Common nicknames, initials used in lieu of a  
20 first or middle name, use of a middle name, compound  
21 first and middle names, and interchanged first and  
22 middle names.  
23 (2) Compound last names, maiden or married names,  
24 and hyphens, blank spaces, or apostrophes in last  
25 names.  
26 (3) Transposition of the month and date portions of  
27 the date of birth.  
28 (4) Incomplete social security numbers.  
29 d. An insurer may disclose minimum necessary  
30 personal information about a beneficiary or authorized  
31 person to an individual or entity whom the insurer  
32 reasonably believes may be able to assist the insurer  
33 in locating the beneficiary or authorized person  
34 entitled to payment of the claims proceeds.  
35 e. An insurer or its service provider shall not  
36 charge a beneficiary or authorized person any fees  
37 or costs associated with a death master file search  
38 conducted pursuant to this section.  
39 f. The benefits from a policy, annuity, or retained  
40 asset account, plus any applicable accrued interest,  
41 shall first be payable to designated beneficiaries  
42 or authorized persons, and in the event that the  
43 beneficiaries or authorized persons cannot be found,  
44 shall be reported and remitted to the state as  
45 unclaimed property pursuant to chapters 556 and 633.  
46 4. *Rules.* The commissioner shall adopt rules to  
47 administer the provisions of this section.  
48 5. *Orders.* The commissioner may issue an order  
49 doing any of the following:  
50 a. Limiting the death master file comparisons

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1 required under subsection 3, paragraph "a", to an  
2 insurer's electronic searchable files or approving a  
3 plan and timeline for conversion of an insurer's files  
4 to electronic searchable files.  
5     **b.** Exempting an insurer from the death master file  
6 comparisons required under subsection 3, paragraph "a",  
7 or permitting an insurer to perform such comparisons  
8 less frequently than semiannually upon a demonstration  
9 of financial hardship by the insurer.  
10     **c.** Phasing in requirements for compliance with this  
11 section according to a plan and timeline approved by  
12 the commissioner.  
13     **6. *Unfair trade practice.*** Failure to meet any  
14 requirement of this section with such frequency as to  
15 constitute a general business practice is an unfair  
16 method of competition and an unfair or deceptive act  
17 or practice in the business of insurance under this  
18 chapter.  
19     **7. *Insurer unclaimed property reporting.***  
20     **a.** If an insurer identifies a person as deceased  
21 through a death master file match as described in  
22 subsection 3, paragraph "a", or other information  
23 source, and validates such information through a  
24 secondary information source, the insurer may report  
25 and remit the proceeds of the policy, annuity, or  
26 retained asset account due to the state prior to the  
27 dates required for such reporting and remittance under  
28 chapter 556, without further notice to or consent by  
29 the state, after attempting to contact any beneficiary  
30 under either of the following circumstances:  
31         (1) The insurer is unable to locate a beneficiary  
32 who is located in this state under the policy, annuity  
33 contract, or retained asset account, after conducting  
34 reasonable search efforts of up to one year after the  
35 insurer's validation of the death master file match.  
36         (2) No beneficiary or person, as applicable for  
37 unclaimed property reporting purposes under chapter  
38 556, has a last known address in this state.  
39     **b.** Once the insurer has reported upon and remitted  
40 the proceeds of the policy, annuity, or retained  
41 asset account to the state pursuant to chapter 556,  
42 the insurer is relieved from any and all additional  
43 liability to any beneficiary or authorized person  
44 relating to the proceeds reported upon and remitted.  
45     **Sec. \_\_\_\_.** EFFECTIVE DATE. This division of this  
46 Act takes effect July 1, 2015.>  
47     **3.** Page 17, after line 31 by inserting:  
48                     <DIVISION  
49                     IOWA PRODUCTS  
50     **Sec. \_\_\_\_.** IOWA PRODUCTS. As a condition of

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1 receiving an appropriation, any agency appropriated  
2 moneys pursuant to this 2014 Act shall give first  
3 preference when purchasing a product to an Iowa product  
4 or a product produced by an Iowa-based business.  
5 Second preference shall be given to a United States  
6 product or a product produced by a business based in  
7 the United States.>  
8 4. By striking page 17, line 34, through page 18,  
9 line 24, and inserting:  
10 <Sec. \_\_\_\_\_. PERSONNEL SETTLEMENT AGREEMENT  
11 PAYMENTS. As a condition of the appropriations in  
12 this Act, the moneys appropriated and any other moneys  
13 available shall not be used for payment of a personnel  
14 settlement agreement that contains a confidentiality  
15 provision intended to prevent public disclosure of the  
16 agreement or any terms of the agreement.>  
17 5. Page 18, by striking lines 28 and 29.  
18 6. Title page, line 4, after <atters,> by  
19 inserting <including penalties,>  
20 7. Title page, line 4 and 5, by striking <and  
21 retroactive applicability>  
22 8. By renumbering as necessary.



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House Amendment to  
Senate File 2347

S-5157

- 1 Amend Senate File 2347, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 3, line 27, by striking <section 261.114,  
4 if enacted> and inserting <section 261.114, ~~if enacted~~>  
5 2. Page 4, by striking line 30 and inserting  
6 <8,229,047>  
7 3. Page 4, by striking lines 32 through 35 and  
8 inserting:  
9 <From the moneys appropriated in this subsection,  
10 \$1,931,000 shall be used for purposes of administering  
11 and distributing to school districts and accredited  
12 nonpublic schools, without cost to the school districts  
13 and accredited nonpublic schools, an early warning  
14 assessment system which shall include screening and  
15 progress monitoring assessments built into a data  
16 system that allows teachers to quickly screen and  
17 monitor student literacy skills from pre-kindergarten  
18 through grade six.>  
19 4. Page 5, by striking line 13 and inserting  
20 <5,996,200>  
21 5. Page 5, by striking line 28 and inserting  
22 <39,128>  
23 6. Page 15, by striking lines 7 through 19.  
24 7. Page 18, by striking line 20 and inserting  
25 <226,523,005>  
26 8. Page 18, after line 21 by inserting:  
27 <It is the intent of the general assembly that as a  
28 condition of receiving the increased funding provided  
29 in this lettered paragraph, the state board shall not  
30 authorize any increase in the resident undergraduate  
31 tuition rate for fiscal year 2014-2015, and the tuition  
32 for the juris doctorate program at the state university  
33 of Iowa shall be decreased as approved by the state  
34 board at the state board's December 4, 2013, meeting.>  
35 9. Page 21, after line 11 by inserting:  
36 <It is the intent of the general assembly that as a  
37 condition of receiving the increased funding provided  
38 in this lettered paragraph, the state board shall not  
39 authorize any increase in the resident undergraduate  
40 tuition rate for fiscal year 2014-2015.>  
41 10. Page 21, by striking line 17 and inserting  
42 <30,611,877>  
43 11. Page 22, after line 12 by inserting:  
44 <It is the intent of the general assembly that as a  
45 condition of receiving the increased funding provided  
46 in this lettered paragraph, the state board shall not  
47 authorize any increase in the resident undergraduate  
48 tuition rate for fiscal year 2014-2015.>  
49 12. By renumbering as necessary.

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Senate File 2353

S-5158

1 Amend Senate File 2353 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. SHORT TITLE. This Act shall be known  
5 and may be cited as the "Iowa Apprenticeship and Job  
6 Training Act".

7 Sec. 2. Section 15.108, subsection 6, paragraph a,  
8 Code 2014, is amended to read as follows:

9 a. Coordinate and perform the duties specified  
10 under the Iowa industrial new jobs training Act in  
11 chapter 260E, the Iowa ~~jobs~~ job training Act in chapter  
12 260F, and the workforce development fund in section  
13 15.341.

14 Sec. 3. Section 15.343, subsection 2, paragraph a,  
15 Code 2014, is amended to read as follows:

16 a. Projects under chapter 260F. The authority  
17 ~~shall~~ may require a match from all businesses  
18 participating in a ~~training~~ project under chapter 260F.

19 Sec. 4. Section 15.343, subsection 3, Code 2014,  
20 is amended by striking the subsection and inserting in  
21 lieu thereof the following:

22 3. a. The authority shall transfer not more than  
23 five million dollars of the moneys in the workforce  
24 development fund to the job training fund established  
25 pursuant to section 260F.6.

26 b. Moneys in the job training fund shall be  
27 allocated as provided in section 260F.6, subsection 3.

28 Sec. 5. Section 260C.18A, subsection 2, paragraph  
29 b, Code 2014, is amended by striking the paragraph and  
30 inserting in lieu thereof the following:

31 b. Projects that would meet all the requirements  
32 of a project under chapter 260F, whether or not the  
33 project is actually being funded under chapter 260F.  
34 The authority may advise a community college on how a  
35 project would be treated for purposes of chapter 260F.

36 Sec. 6. Section 260F.1, Code 2014, is amended to  
37 read as follows:

38 260F.1 Title.

39 This chapter shall be known and may be cited as the  
40 "~~Iowa Jobs Job Training Act~~".

41 Sec. 7. Section 260F.2, subsections 1, 5, 6, 8, and  
42 11, Code 2014, are amended to read as follows:

43 1. "~~Agreement~~" ~~is the agreement~~ means a contract  
44 between a business and a ~~community college~~ the  
45 authority concerning a project.

46 5. "~~Eligible business~~" ~~or~~ "~~business~~" means a  
47 business ~~training employees which is engaged in~~  
48 ~~interstate or intrastate commerce for the purpose of~~  
49 ~~manufacturing, processing, or assembling products,~~  
50 ~~conducting research and development, or providing~~

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1 ~~services in interstate commerce, but excludes retail,~~  
2 ~~health, or professional services and which meets the~~  
3 ~~other criteria established by the authority. "Eligible~~  
4 ~~business" does not include a business whose training~~  
5 ~~costs can be economically funded under chapter 260E,~~  
6 ~~a business which closes or substantially reduces its~~  
7 ~~employment base in order to relocate substantially~~  
8 ~~the same operation to another area of the state, or a~~  
9 ~~business which is involved in a strike, lockout, or~~  
10 ~~other labor dispute in Iowa that proposes to train~~  
11 ~~employees as part of a project and that meets all the~~  
12 ~~conditions of section 260F.3.~~

13 6. "Employee" means a person currently employed by  
14 ~~a an eligible business or who will be employed upon~~  
15 ~~successful completion of a project and who is to be~~  
16 ~~trained as part of a project. However, "employee" does~~  
17 ~~not include a person with executive responsibilities or~~  
18 ~~a replacement workers who are worker hired as a result~~  
19 ~~of a strike, lockout, or other labor dispute in Iowa.~~

20 8. "Participating business" means a business  
21 ~~training employees which enters that has entered into~~  
22 ~~an agreement with the community college.~~

23 11. "Project" means a training arrangement which  
24 ~~that is the subject of an agreement entered into~~  
25 ~~between the community college and a business to~~  
26 ~~provide program services. "Project" also means an~~  
27 ~~authority sponsored training arrangement which is~~  
28 ~~sponsored by the authority and administered under~~  
29 ~~sections 260F.6A and 260F.6B and that is primarily~~  
30 ~~focused on meeting the workforce needs of an eligible~~  
31 ~~business. A project includes but is not limited~~  
32 ~~to training or retraining of employees, adult basic~~  
33 ~~education, job-related instruction, vocation and~~  
34 ~~skill-assessment services and testing, tuition and~~  
35 ~~classroom instruction for coursework at a community~~  
36 ~~college or a regents institution, and training~~  
37 ~~equipment, supplies, and materials. A project does~~  
38 ~~not include coursework that will be counted toward an~~  
39 ~~advanced or graduate degree earned by an employee.~~

40 Sec. 8. Section 260F.2, Code 2014, is amended by  
41 adding the following new subsections:

42 NEW SUBSECTION. 1A. "Apprentice" means a person  
43 who is at least sixteen years of age, except where a  
44 higher minimum age is required by law, who is employed  
45 in an apprenticeable occupation, and is registered in  
46 Iowa with the United States department of labor, office  
47 of apprenticeship.

48 NEW SUBSECTION. 1B. "Apprenticeable occupation"  
49 means an occupation approved for apprenticeship by  
50 the United States department of labor, office of

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1 apprenticeship.  
2 NEW SUBSECTION. 1C. *"Apprenticeship program"* means  
3 a program registered with the United States department  
4 of labor, office of apprenticeship, which includes  
5 the terms and conditions for the qualification,  
6 recruitment, selection, employment, and training of  
7 apprentices, including the requirement for a written  
8 apprenticeship agreement.  
9 NEW SUBSECTION. 1D. *"Apprenticeship sponsor"* means  
10 an entity operating an apprenticeship program or an  
11 entity in whose name an apprenticeship program is  
12 being operated, which is registered with or approved  
13 by the United States department of labor, office of  
14 apprenticeship.  
15 NEW SUBSECTION. 2A. *"Commencement date"* means the  
16 date on which a proposed project is scheduled to begin.  
17 NEW SUBSECTION. 5A. *"Eligible research and  
18 development"* means activities that meet the definition  
19 of research activities under section 422.10 even if the  
20 business has not actually claimed a research activities  
21 tax credit.  
22 NEW SUBSECTION. 6A. *"Financial assistance"* means  
23 assistance provided only from the funds, rights, and  
24 assets legally available to the authority and includes  
25 but is not limited to assistance in the form of grants,  
26 loans, forgivable loans, and royalty payments.  
27 NEW SUBSECTION. 6B. *"Fund"* means the job training  
28 fund created in section 260F.6.  
29 NEW SUBSECTION. 7A. *"Lead apprenticeship sponsor"*  
30 means a trade organization, labor organization,  
31 employer association, or other incorporated entity  
32 representing a group of apprenticeship sponsors.  
33 NEW SUBSECTION. 11A. *"Providing services in  
34 interstate commerce"* means the provision of the  
35 majority of a business's sales to customers located  
36 outside of Iowa.  
37 Sec. 9. Section 260F.2, subsections 4, 7, 9, and  
38 10, Code 2014, are amended by striking the subsections.  
39 Sec. 10. Section 260F.3, Code 2014, is amended by  
40 striking the section and inserting in lieu thereof the  
41 following:  
42 **260F.3 Eligible business.**  
43 To be eligible for financial assistance for a  
44 project under this chapter, a business shall meet all  
45 of the following conditions:  
46 1. Is manufacturing, processing, or assembling  
47 products for sale in interstate or intrastate commerce,  
48 is conducting eligible research and development in  
49 this state, is engaged in the business of commercial  
50 construction, or is providing services in interstate

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1 commerce.  
2 2. Is not a retail business, a health care  
3 business, or a business engaged in the provision of  
4 professional services.  
5 3. Is proposing training for a project that cannot  
6 be economically funded under the industrial new jobs  
7 training program pursuant to chapter 260E.  
8 4. Demonstrates a need for certain job skills not  
9 adequately represented among the business's existing  
10 workforce.  
11 5. Has not closed or substantially reduced  
12 operations in one area of the state in order to locate  
13 substantially the same operations to another area of  
14 the state.  
15 6. Is not actively engaged in a strike, lockout, or  
16 other labor dispute in Iowa.  
17 7. Is not eligible to receive funding under section  
18 260F.5 either directly as an apprenticeship sponsor or  
19 as an entity participating under a lead apprenticeship  
20 sponsor.  
21 8. Meets any other conditions as established by the  
22 authority by rule.  
23 Sec. 11. **NEW SECTION. 260F.4 Financial assistance**  
24 **for an eligible business.**  
25 1. a. An eligible business may apply to the  
26 authority for financial assistance for a project.  
27 b. The authority may establish by rule a maximum  
28 benefit amount for any one project and a maximum  
29 aggregate benefit amount that may be awarded to any one  
30 eligible business.  
31 2. Financial assistance to eligible businesses  
32 shall be provided under the following terms and  
33 conditions:  
34 a. For training that is conducted by community  
35 college faculty or staff, at a community college  
36 facility, and according to a curriculum that complies  
37 with industry-recognized standards, the financial  
38 assistance shall be in the form of a grant or a  
39 forgivable loan in an amount equal to one hundred  
40 percent of the cost of the project.  
41 b. If training in accordance with  
42 industry-recognized standards that results in a  
43 portable credential needed for a skilled trade is  
44 not available through a community college in close  
45 proximity to a business, the business can utilize a  
46 statewide industry association to facilitate training  
47 that utilizes industry-recognized standards, resulting  
48 in portable credentials for the specific skilled trade.  
49 For this type of training, the financial assistance  
50 shall be in the form of a grant or a forgivable loan in

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1 an amount equal to one hundred percent of the training  
2 costs incurred.  
3     *c.* For a project other than one described in  
4 paragraph "*a*" or "*b*", the financial assistance shall be  
5 in the form of a loan in an amount equal to one hundred  
6 percent of the cost of the project to be disbursed  
7 initially but with a required future repayment of fifty  
8 percent of the cost of the project at an interest of  
9 zero percent.  
10     *d.* Any other terms and conditions typically  
11 required by the authority when providing financial  
12 assistance.  
13     3. The authority shall deposit all repayments  
14 collected pursuant to this section in the fund and  
15 shall make the moneys available to other eligible  
16 businesses for purposes of this section.  
17     4. An eligible business applying for financial  
18 assistance under this section shall provide the  
19 following information to the authority:  
20     *a.* A detailed description of the proposed project,  
21 an explanation of how the project would meet the  
22 business's skilled workforce needs, and an assessment  
23 regarding the feasibility of meeting the training needs  
24 through a community college. The authority may require  
25 any information reasonably necessary to determine the  
26 necessity, suitability, and feasibility of the proposed  
27 project.  
28     *b.* The date or dates on which the proposed project  
29 will be conducted.  
30     *c.* The number of employees to be trained and the  
31 title and position description of each employee to be  
32 trained.  
33     *d.* The estimated cost to the business of the  
34 proposed project.  
35     *e.* Any other information the authority reasonably  
36 determines is necessary.  
37     5. An eligible business receiving financial  
38 assistance pursuant to this section shall enter  
39 into an agreement with the authority regarding the  
40 project. The agreement shall include all provisions  
41 necessary for the implementation of this section and  
42 any provisions the authority typically includes in a  
43 contract for the provision of financial assistance.  
44     Sec. 12. NEW SECTION. 260F.5 Financial assistance  
45 for an apprenticeship program.  
46     1. *a.* An apprenticeship sponsor or lead  
47 apprenticeship sponsor conducting apprenticeship  
48 programs registered with the United States department  
49 of labor, office of apprenticeship, through Iowa, for  
50 apprentices who will be employed at Iowa worksites may

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1 apply to the authority for financial assistance under  
2 this section.  
3     **b.** Financial assistance received by an  
4 apprenticeship sponsor or lead apprenticeship sponsor  
5 under this section shall be used only for the cost of  
6 conducting and maintaining an apprenticeship program.  
7     2. The authority shall provide financial assistance  
8 to apprenticeship sponsors or lead apprenticeship  
9 sponsors in the following manner:  
10     **a.** By determining the total amount of funding  
11 allocated for purposes of apprenticeship programs  
12 pursuant to section 260F.6.  
13     **b.** By adding together all of the following:  
14         (1) The total number of apprentices trained by all  
15 applying apprenticeship sponsors or lead apprenticeship  
16 sponsors during the most recent training year as  
17 calculated on the last day of the training year.  
18         (2) The total number of contact hours that  
19 apprenticeship instructors for all applying  
20 apprenticeship sponsors or lead apprenticeship  
21 sponsors spent in contact with apprentices during  
22 the most recent training year. For purposes of this  
23 subparagraph, "*contact hours*" includes the time spent  
24 instructing apprentices in person or, in the case of  
25 a lead apprenticeship sponsor with programs totaling  
26 one hundred or more total instructional hours, "*contact*  
27 *hours*" includes the time spent in online training if  
28 the total amount of online instruction does not account  
29 for more than thirty percent of the total instructional  
30 hours.  
31     **c.** By adding together all of the following:  
32         (1) The total number of apprentices trained by  
33 a single applying apprenticeship sponsor or lead  
34 apprenticeship sponsor during the most recent training  
35 year as calculated on the last day of the training  
36 year.  
37         (2) The total number of contact hours that  
38 apprenticeship instructors for a single applying  
39 apprenticeship sponsor or lead apprenticeship  
40 sponsor spent in contact with apprentices during  
41 the most recent training year. For purposes of this  
42 subparagraph, "*contact hours*" includes the time spent  
43 instructing apprentices in person or, in the case of  
44 a lead apprenticeship sponsor with programs totaling  
45 one hundred or more total instructional hours, "*contact*  
46 *hours*" includes the time spent in online training if  
47 the total amount of online instruction does not account  
48 for more than thirty percent of the total instructional  
49 hours.  
50     **d.** By determining the proportion, stated as a

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1 percentage, that a single applying apprenticeship  
2 sponsor's or lead apprenticeship sponsor's total  
3 calculated pursuant to paragraph "c" bears to  
4 all applying apprenticeship sponsors' or lead  
5 apprenticeship sponsors' total calculated pursuant to  
6 paragraph "b".  
7 e. By multiplying the percentage calculated in  
8 paragraph "d" by the amount determined in paragraph  
9 "a".  
10 3. An apprenticeship sponsor or lead apprenticeship  
11 sponsor seeking financial assistance under this  
12 section shall provide the following information to the  
13 authority:  
14 a. The federal apprentice registration number of  
15 each apprentice in the apprenticeship program.  
16 b. The address and a description of the physical  
17 location where in-person training is conducted.  
18 c. A certification of the apprenticeship sponsor's  
19 training standards as most recently approved by  
20 the United States department of labor, office of  
21 apprenticeship or, in the case of a lead apprenticeship  
22 sponsor, a representative sample of participating  
23 members' training standards.  
24 d. A certification of the apprenticeship sponsor's  
25 compliance review or quality assessment as most  
26 recently conducted by the United States department  
27 of labor, office of apprenticeship, unless the  
28 apprenticeship sponsor has not been subjected to  
29 a compliance review or quality assessment. In the  
30 case of a lead apprenticeship sponsor, a sampling  
31 of compliance reviews or quality assessments from  
32 participating members shall be sufficient.  
33 e. Any other information the authority reasonably  
34 determines is necessary.  
35 4. The apprenticeship sponsor or lead  
36 apprenticeship sponsor and the authority shall  
37 enter into an agreement regarding the provision of any  
38 financial assistance to the apprenticeship sponsor or  
39 lead apprenticeship sponsor.  
40 Sec. 13. Section 260F.6, subsection 1, Code 2014,  
41 is amended to read as follows:  
42 1. ~~There is established for the community colleges~~  
43 ~~a A job training fund is created in the state treasury~~  
44 ~~under the control of the economic development authority~~  
45 ~~in the workforce development fund. The job training~~  
46 ~~fund consists consisting of any moneys appropriated for~~  
47 ~~the purposes of this chapter, plus the any interest and~~  
48 ~~principal from repayment of advances made to businesses~~  
49 ~~for program costs, plus the or earnings on moneys in~~  
50 ~~the fund, any repayments, including interest, of loans~~

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1 ~~made from that retraining fund, and interest earned~~  
2 ~~from moneys in the job training fund or recaptures of~~  
3 ~~financial assistance provided from the fund, and any~~  
4 ~~other moneys lawfully available to the authority that~~  
5 ~~may be deposited in the fund.~~  
6 Sec. 14. Section 260F.6, subsections 2 and 3, Code  
7 2014, are amended by striking the subsections and  
8 inserting in lieu thereof the following:  
9 2. Moneys in the fund are appropriated to the  
10 authority for purposes of providing financial  
11 assistance for job training pursuant to this chapter.  
12 3. a. Of the moneys transferred or appropriated to  
13 the fund pursuant to section 15.343 or pursuant to any  
14 other appropriation, the authority shall allocate forty  
15 percent of the moneys for purposes of section 260F.4  
16 and sixty percent of the moneys for purposes of section  
17 260F.5.  
18 b. Notwithstanding paragraph "a", moneys from  
19 repayments and recaptures of funds loaned pursuant  
20 to section 260F.4 shall be allocated for purposes of  
21 section 260F.4.  
22 Sec. 15. Section 260F.6, Code 2014, is amended by  
23 adding the following new subsection:  
24 NEW SUBSECTION. 4. The authority may annually  
25 expend not more than two percent of moneys in the  
26 fund for administrative purposes. If the authority's  
27 administrative costs are less than two percent of the  
28 moneys in the fund, the authority shall expend the  
29 unused moneys for purposes of financial assistance.  
30 Sec. 16. Section 403.21, subsections 1 and 3, Code  
31 2014, are amended to read as follows:  
32 1. In order to promote communication and  
33 cooperation among cities, counties, and community  
34 colleges with respect to the allocation and division  
35 of taxes, no jobs training projects as defined in  
36 chapter 260E ~~or 260F~~ shall be undertaken within the  
37 area of operation of a municipality after July 1, 1995,  
38 unless the municipality and the community college  
39 have entered into an agreement or have jointly adopted  
40 a plan relating to a community college's new jobs  
41 training program which shall provide for a procedure  
42 for advance notification to each affected municipality,  
43 for exchange of information, for mutual consultation,  
44 and for procedural guidelines for all such new jobs  
45 training projects, including related project financing  
46 to be undertaken within the area of operation of the  
47 municipality. The joint agreement or the plan shall  
48 state its precise duration and shall be binding on the  
49 community college and the municipality with respect  
50 to all new jobs training projects, including related

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1 project financing undertaken during its existence.  
2 The joint agreement or plan shall be effective upon  
3 adoption and shall be placed on file in the office  
4 of the secretary of the board of directors of the  
5 community college and such other location as may be  
6 stated in the joint agreement or plan. The joint  
7 agreement or plan shall also be sent to each school  
8 district which levied or certified for levy a property  
9 tax on any portion of the taxable property located  
10 in the area of operation of the municipality in the  
11 fiscal year beginning prior to the calendar year in  
12 which the plan is adopted or the agreement is reached.  
13 If no such agreement is reached or plan adopted, the  
14 community college shall not use incremental property  
15 tax revenues to fund jobs training projects within the  
16 area of operation of the municipality. Agreements  
17 entered into between a community college and a city or  
18 county pursuant to chapter 28E shall not apply.  
19 3. ~~The community college shall send a copy of the~~  
20 ~~final agreement prepared pursuant to section 260F.3 to~~  
21 ~~the economic development authority. For each year in~~  
22 ~~which incremental property taxes are used to retire~~  
23 ~~debt service on a jobs training advance issued for~~  
24 ~~a project creating new jobs, the community college~~  
25 ~~shall provide to the economic development authority a~~  
26 ~~report of the incremental property taxes and new jobs~~  
27 ~~credits from withholding generated for that year, a~~  
28 ~~specific description of the training conducted, the~~  
29 ~~number of employees provided program services under the~~  
30 ~~project, the median wage of employees in the new jobs~~  
31 ~~in the project, and the administrative costs directly~~  
32 ~~attributable to the project.~~  
33 Sec. 17. Section 558.1, Code 2014, is amended to  
34 read as follows:  
35 **558.1 "Instruments affecting real estate" defined —**  
36 **revocation.**  
37 All instruments containing a power to convey, or in  
38 any manner relating to real estate, including certified  
39 copies of petitions in bankruptcy with or without the  
40 schedules appended, of decrees of adjudication in  
41 bankruptcy, and of orders approving trustees' bonds  
42 in bankruptcy, and a jobs training agreement entered  
43 into under chapter 260E ~~or 260F~~ between an employer  
44 and community college which contains a description  
45 of the real estate affected, shall be held to be  
46 instruments affecting the same; and no such instrument,  
47 when acknowledged or certified and recorded as in this  
48 chapter prescribed, can be revoked as to third parties  
49 by any act of the parties by whom it was executed,  
50 until the instrument containing such revocation is

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1 acknowledged and filed for record in the same office  
2 in which the instrument containing such power is  
3 recorded, except that uniform commercial code financing  
4 statements and financing statement changes as provided  
5 in chapter 554 need not be thus acknowledged.  
6 Sec. 18. REPEAL. Sections 260F.6A, 260F.6B,  
7 260F.7, and 260F.8, Code 2014, are repealed.  
8 Sec. 19. TRANSITION PROVISIONS.  
9 1. A financial assistance award made or provided  
10 for in an agreement entered into pursuant to section  
11 260F.3 prior to the effective date of this Act shall  
12 continue as provided in such agreement.  
13 2. Loan payments or repayments and recaptures of  
14 principal, interest, or other moneys accruing on or  
15 after July 1, 2014, pursuant to an agreement under  
16 section 260F.3, as in effect prior to July 1, 2014,  
17 shall be transferred to the job training fund created  
18 in section 260F.6, as amended by this Act.>

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JAKE CHAPMAN



Iowa General Assembly  
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Senate File 2239

S-5159

- 1 Amend the amendment, S-5092, to Senate File 2239,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, lines 15 and 16, by striking <all or a  
5 substantial portion of>  
6 2. Page 1, by striking lines 24 and 25 and  
7 inserting:  
8 <(1) Physical injury to, or injury which is at  
9 a variance with the history given of the injury, or  
10 unreasonable confinement, unreasonable punishment, or  
11 assault of a vulnerable elder by a person not otherwise  
12 governed by chapter 235E.>  
13 3. Page 1, line 29, by striking <substantial>  
14 4. By striking page 2, line 50, through page 3,  
15 line 3, and inserting:  
16 <\_\_\_\_. "Vulnerable elder" means a person sixty years  
17 of age or older who is unable to protect himself or  
18 herself from elder abuse as a result of age or a mental  
19 or physical condition.>  
20 5. Page 4, by striking lines 21 through 25.  
21 6. Page 4, line 28, by striking <The> and inserting  
22 <By July 1, 2015, the>  
23 7. Page 4, by striking lines 31 and 32 and  
24 inserting <se in actions under this chapter.>  
25 8. Page 4, line 33, by striking <Standard> and  
26 inserting <Beginning July 1, 2015, the standard>  
27 9. Page 9, lines 27 and 28, by striking <for the  
28 person's own benefit or gain>  
29 10. Page 11, by striking lines 12 through 16.  
30 11. Page 11, by striking lines 24 through 49.  
31 12. Page 12, after line 12 by inserting:  
32 <Sec. \_\_\_\_\_. Section 235B.7, subsection 3, Code 2014,  
33 is amended to read as follows:  
34 3. Subsections 1 and 2 do not apply to dependent  
35 adult abuse information that is disseminated to an  
36 employee of the department or to the office of the  
37 attorney ~~representing the department~~ general as  
38 authorized by section 235B.6.>  
39 13. By striking page 14, line 5, through page 15,  
40 line 11.  
41 14. Page 17, by striking lines 20 through 26.  
42 15. By striking page 17, line 48, through page 18,  
43 line 20.  
44 16. Page 18, line 29, after <appeals,> by inserting  
45 <department of public health,>  
46 17. By renumbering as necessary.

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MARY JO WILHELM

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Senate File 2353

S-5160

1 Amend Senate File 2353 as follows:  
2 1. Page 7, after line 11 by inserting:  
3 <4A. "Board" means the apprenticeship training  
4 program board established in section 260J.5.>  
5 2. Page 7, line 15, after <department> by inserting  
6 <or board>  
7 3. Page 7, line 25, after <department> by inserting  
8 <with direction from the board>  
9 4. Page 7, line 35, before <administering> by  
10 inserting <assisting the apprenticeship training  
11 program board in>  
12 5. Page 8, line 12, by striking <department> and  
13 inserting <board>  
14 6. Page 8, line 19, by striking <department> and  
15 inserting <board>  
16 7. Page 9, line 33, by striking <department> and  
17 inserting <board>  
18 8. Page 10, line 16, by striking <department> and  
19 inserting <board>  
20 9. Page 10, line 19, by striking <department> and  
21 inserting <board>  
22 10. Page 10, line 29, by striking <advisory>  
23 11. Page 10, by striking lines 30 through 35 and  
24 inserting:  
25 <1. An apprenticeship training program board is  
26 established to administer the apprenticeship training  
27 program and to provide funding to apprenticeship  
28 programs for apprentices who will be employed at Iowa  
29 worksites.>  
30 12. Page 11, line 1, by striking <advisory>  
31 13. Page 11, after line 5 by inserting:  
32 <0c. One member of the Iowa heavy highway  
33 contractors association.  
34 00c. One member of the associated general  
35 contractors of Iowa.>  
36 14. Page 11, line 30, by striking <advisory>  
37 15. Page 12, line 3, by striking <advisory>  
38 16. Page 12, line 9, by striking <advisory>  
39 17. Page 12, line 15, by striking <advisory>  
40 18. Page 12, after line 19 by inserting:  
41 <5. The apprenticeship training program board shall  
42 do all of the following:  
43 a. Administer the apprenticeship training program  
44 and approve expenditures from the apprenticeship  
45 training program fund.  
46 b. Review and award apprenticeship program training  
47 grants and infrastructure grants pursuant to section  
48 260J.4.  
49 c. Monitor the performance of apprenticeship  
50 program training grants and infrastructure grants.

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1     *d.* Promote the development of new and the expansion  
2 of existing apprenticeship programs in Iowa.  
3     *e.* In collaboration with the department, educate  
4 students about apprenticeship training opportunities  
5 and promote apprenticeship training in middle school  
6 and high school.  
7     6. The department shall provide administrative  
8 support to the board.  
9     7. The board shall adopt rules to administer this  
10 chapter.>  
11     19. By renumbering, redesignating, and correcting  
12 internal references as necessary.

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WILLIAM A. DOTZLER, JR.



Iowa General Assembly  
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Senate File 2353

S-5161

1 Amend the amendment, S-5158, to Senate File 2353 as  
2 follows:  
3 1. By striking page 1, line 1, through page 10,  
4 line 18, and inserting:  
5 <Amend Senate File 2353 as follows:  
6 1. By striking everything after the enacting clause  
7 and inserting:  
8 <Section 1. SHORT TITLE. This Act shall be known  
9 and may be cited as the "Iowa Apprenticeship Act".  
10 Sec. 2. Section 15.343, subsection 2, Code 2014,  
11 is amended by striking the subsection and inserting in  
12 lieu thereof the following:  
13 2. The authority shall allocate moneys appropriated  
14 for purposes of this section to the job training  
15 program fund created in section 260F.6.  
16 Sec. 3. Section 15.343, subsection 3, Code 2014, is  
17 amended by striking the subsection.  
18 Sec. 4. NEW SECTION. 15.343A Apprenticeship  
19 development fund.  
20 1. *a.* An apprenticeship development fund is  
21 created as a revolving fund in the state treasury under  
22 the control of the authority consisting of any moneys  
23 appropriated by the general assembly for that purpose  
24 and any other moneys available to and obtained or  
25 accepted by the authority from the federal government  
26 or private sources for placement in the fund. The fund  
27 shall also include moneys appropriated to the fund from  
28 the workforce development fund account established in  
29 section 15.342A.  
30 *b.* Notwithstanding section 8.33, moneys in the  
31 apprenticeship development fund at the end of each  
32 fiscal year shall not revert to any other fund but  
33 shall remain in the apprenticeship development fund for  
34 expenditure for subsequent fiscal years.  
35 2. The assets of the fund shall be used by the  
36 authority for the apprenticeship training program under  
37 chapter 15B.  
38 3. The authority shall allocate moneys appropriated  
39 for purposes of this section to the apprenticeship  
40 training program fund created in section 15B.3.  
41 Sec. 5. NEW SECTION. 15B.1 Title.  
42 This chapter shall be known and may be cited as the  
43 "Iowa Apprenticeship Training Act".  
44 Sec. 6. NEW SECTION. 15B.2 Definitions.  
45 For purposes of this chapter, unless the context  
46 otherwise requires:  
47 1. "*Apprentice*" means a person who is at least  
48 sixteen years of age, except where a higher minimum  
49 age is required by law, who is employed in an  
50 apprenticeable occupation, and is registered in Iowa

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1 with the United States department of labor, office of  
2 apprenticeship.

3 2. "*Apprenticeable occupation*" means an occupation  
4 approved for apprenticeship by the United States  
5 department of labor, office of apprenticeship.

6 3. "*Apprenticeship program*" means a program  
7 registered with the United States department of  
8 labor, office of apprenticeship, which includes terms  
9 and conditions for the qualification, recruitment,  
10 selection, employment, and training of apprentices,  
11 including the requirement for a written apprenticeship  
12 agreement.

13 4. "*Apprenticeship sponsor*" means an entity  
14 operating an apprenticeship program or an entity in  
15 whose name an apprenticeship program is being operated,  
16 which is registered with or approved by the United  
17 States department of labor, office of apprenticeship.

18 5. "*Authority*" means the economic development  
19 authority created in section 15.105.

20 6. "*Financial assistance*" means assistance provided  
21 only from the funds, rights, and assets legally  
22 available to the authority and includes but is not  
23 limited to assistance in the forms of grants, loans,  
24 forgivable loans, and royalty payments.

25 7. "*Fund*" means the apprenticeship training program  
26 fund created in section 15B.3.

27 8. "*Lead apprenticeship sponsor*" means a trade  
28 organization, labor organization, employer association,  
29 or other incorporated entity representing a group of  
30 apprenticeship sponsors.

31 **Sec. 7. NEW SECTION. 15B.3 Apprenticeship training**  
32 **program — fund.**

33 1. The authority shall establish and administer an  
34 apprenticeship training program to provide financial  
35 assistance to apprenticeship programs.

36 2. a. An apprenticeship training program fund  
37 is created in the state treasury under the control  
38 of the authority. The fund shall consist of moneys  
39 deposited in or allocated to the fund pursuant to  
40 section 15.343A, moneys appropriated for purposes of  
41 the apprenticeship training program by the general  
42 assembly, and any other moneys lawfully available to  
43 the authority.

44 b. Moneys in the apprenticeship training program  
45 fund are appropriated to the authority for the purposes  
46 of this chapter.

47 3. The authority may annually expend not  
48 more than two percent of the moneys in the fund  
49 for administrative purposes. If the authority's  
50 administrative costs are less than two percent of the

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1 moneys in the fund, the authority shall expend the  
2 unused moneys for purposes of financial assistance.  
3 4. Notwithstanding section 8.33, moneys in the  
4 fund at the close of a fiscal year shall not revert  
5 to the general fund of the state but shall remain  
6 available for expenditure for the purposes designated  
7 for subsequent fiscal years. Notwithstanding section  
8 12C.7, subsection 2, interest or earnings on moneys in  
9 the fund shall be credited to the fund.

10 Sec. 8. NEW SECTION. 15B.4 Financial assistance  
11 for an apprenticeship program.

12 1. a. An apprenticeship sponsor or lead  
13 apprenticeship sponsor conducting apprenticeship  
14 programs registered with the United States department  
15 of labor, office of apprenticeship, through Iowa, for  
16 apprentices who will be employed at Iowa worksites may  
17 apply to the authority for financial assistance under  
18 this section.

19 b. Financial assistance received by an  
20 apprenticeship sponsor or lead apprenticeship sponsor  
21 under this section shall be used only for the cost of  
22 conducting and maintaining an apprenticeship program.

23 2. The authority shall provide financial assistance  
24 to apprenticeship sponsors or lead apprenticeship  
25 sponsors in the following manner:

26 a. By determining the total amount of funding  
27 allocated for purposes of apprenticeship programs  
28 pursuant to section 15B.3.

29 b. By adding together all of the following:

30 (1) The total number of apprentices trained by all  
31 applying apprenticeship sponsors or lead apprenticeship  
32 sponsors during the most recent training year as  
33 calculated on the last day of the training year.

34 (2) The total number of contact hours that  
35 apprenticeship instructors for all applying  
36 apprenticeship sponsors or lead apprenticeship  
37 sponsors spent in contact with apprentices during  
38 the most recent training year. For purposes of this  
39 subparagraph, "contact hours" includes the time spent  
40 instructing apprentices in person or, in the case of  
41 a lead apprenticeship sponsor with programs totaling  
42 one hundred or more total instructional hours, "contact  
43 hours" includes the time spent in online training if  
44 the total amount of online instruction does not account  
45 for more than thirty percent of the total instructional  
46 hours.

47 c. By adding together all of the following:

48 (1) The total number of apprentices trained by  
49 a single applying apprenticeship sponsor or lead  
50 apprenticeship sponsor during the most recent training

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1 year as calculated on the last day of the training  
2 year.  
3 (2) The total number of contact hours that  
4 apprenticeship instructors for a single applying  
5 apprenticeship sponsor or lead apprenticeship  
6 sponsor spent in contact with apprentices during  
7 the most recent training year. For purposes of this  
8 subparagraph, "*contact hours*" includes the time spent  
9 instructing apprentices in person or, in the case of  
10 a lead apprenticeship sponsor with programs totaling  
11 one hundred or more total instructional hours, "*contact*  
12 *hours*" includes the time spent in online training if  
13 the total amount of online instruction does not account  
14 for more than thirty percent of the total instructional  
15 hours.  
16 d. By determining the proportion, stated as a  
17 percentage, that a single applying apprenticeship  
18 sponsor's or lead apprenticeship sponsor's total  
19 calculated pursuant to paragraph "c" bears to  
20 all applying apprenticeship sponsors' or lead  
21 apprenticeship sponsors' total calculated pursuant to  
22 paragraph "b".  
23 e. By multiplying the percentage calculated in  
24 paragraph "d" by the amount determined in paragraph  
25 "a".  
26 3. An apprenticeship sponsor or lead apprenticeship  
27 sponsor seeking financial assistance under this  
28 section shall provide the following information to the  
29 authority:  
30 a. The federal apprentice registration number of  
31 each apprentice in the apprenticeship program.  
32 b. The address and a description of the physical  
33 location where in-person training is conducted.  
34 c. A certification of the apprenticeship sponsor's  
35 training standards as most recently approved by  
36 the United States department of labor, office of  
37 apprenticeship or, in the case of a lead apprenticeship  
38 sponsor, a representative sample of participating  
39 members' training standards.  
40 d. A certification of the apprenticeship sponsor's  
41 compliance review or quality assessment as most  
42 recently conducted by the United States department  
43 of labor, office of apprenticeship, unless the  
44 apprenticeship sponsor has not been subjected to  
45 a compliance review or quality assessment. In the  
46 case of a lead apprenticeship sponsor, a sampling  
47 of compliance reviews or quality assessments from  
48 participating members shall be sufficient.  
49 e. Any other information the authority reasonably  
50 determines is necessary.

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1 4. The apprenticeship sponsor or lead  
2 apprenticeship sponsor and the authority shall  
3 enter into an agreement regarding the provision of any  
4 financial assistance to the apprenticeship sponsor or  
5 lead apprenticeship sponsor.  
6 5. Notwithstanding other provisions of this  
7 section, an apprenticeship program which received funds  
8 pursuant to section 260F.6, Code 2014, or from other  
9 funding sources available to a community college during  
10 the fiscal year beginning July 1, 2013, shall receive  
11 at least the same amount of funding in the fiscal year  
12 beginning July 1, 2014, from the fund created in this  
13 section. The authority shall adopt rules to administer  
14 this subsection.>  
15 2. Title page, line 1, by striking <jobs training  
16 and>  
17 3. Title page, line 2, by striking <programs> and  
18 inserting <program>>

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JAKE CHAPMAN



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**Senate File 2354 - Introduced**

SENATE FILE 2354  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SF 2180)  
(SUCCESSOR TO SSB 3121)

**A BILL FOR**

1 An Act relating to the administration of certain economic  
2 development programs by the economic development authority  
3 and including effective date and retroactive applicability  
4 provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 2354

DIVISION I

INVESTMENT TAX CREDITS

Section 1. Section 15E.43, subsection 1, paragraph b, Code 2014, is amended to read as follows:

b. A tax credit shall be allowed only for an investment made in the form of cash to purchase equity in a qualifying business or in a community-based seed capital fund. A taxpayer that has received a tax credit for an investment in a community-based seed capital fund shall not claim the tax credit prior to the third tax year following the tax year in which the investment is made. Any tax credit in excess of the taxpayer's liability for the tax year may be credited to the tax liability for the following five years or until depleted, whichever is earlier. A tax credit shall not be carried back to a tax year prior to the tax year in which the taxpayer redeems the tax credit.

Sec. 2. Section 15E.44, subsection 1, Code 2014, is amended to read as follows:

1. In order for an equity investment to qualify for a tax credit, the business in which the equity investment is made shall, within one hundred twenty days of the date of the first investment, notify the authority of the names, addresses, shares issued, consideration paid for the shares, and the amount of any tax credits, of all shareholders who may initially qualify for the tax credits, ~~and the earliest year in which the tax credits may be redeemed.~~ The list of shareholders who may qualify for the tax credits shall be amended as new equity investments are sold or as any information on the list shall change.

Sec. 3. Section 15E.44, subsection 2, paragraph f, Code 2014, is amended to read as follows:

f. The business shall have secured, ~~within twenty-four months following the first date on which the equity investments qualifying for tax credits have been made,~~ total equity or financing, near equity financing, binding investment commitments, or some combination thereof, equal to at least two

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1 hundred fifty thousand dollars.

2 Sec. 4. Section 15E.45, subsection 3, paragraph a,  
3 subparagraph (3), Code 2014, is amended by striking the  
4 subparagraph and inserting in lieu thereof the following:

5 (3) Any other information required by the authority.

6 Sec. 5. Section 15E.45, subsection 6, Code 2014, is amended  
7 to read as follows:

8 6. In the event that a community-based seed capital  
9 fund fails to meet or maintain any requirement set forth in  
10 this section, or in the event that at least thirty-three  
11 percent of the invested capital of the community-based seed  
12 capital fund has not been invested in one or more separate  
13 qualifying businesses, measured at the end of the ~~forty-eighth~~  
14 thirty-sixth month after commencing the fund's investing  
15 activities, the authority shall rescind any tax credit  
16 certificates issued to limited partners or members and shall  
17 notify the department of revenue that it has done so, and the  
18 tax credit certificates shall be null and void. ~~However, a~~ A  
19 community-based seed capital fund may apply to the authority  
20 for a one-year waiver of the requirements of this subsection.

21 Sec. 6. RETROACTIVE APPLICABILITY. This division of this  
22 Act applies retroactively to January 1, 2014, for tax years  
23 beginning and investments made on or after that date.

24 DIVISION II

25 TARGETED SMALL BUSINESS ASSISTANCE

26 Sec. 7. 2013 Iowa Acts, chapter 13, section 10, subsections  
27 1 and 2, are amended to read as follows:

28 1. Upon repeal of the targeted small business financial  
29 assistance program established in section 15.247, the authority  
30 shall transfer all unencumbered and unobligated moneys accruing  
31 to the authority pursuant to existing agreements to a fund  
32 established by the authority in the state treasury under  
33 the control of the authority pursuant to section 15.106A,  
34 subsection 1, paragraph "o", to be used for the purposes of  
35 providing assistance to targeted small businesses pursuant to

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1 ~~subsection~~ subsections 3 and 4 of this section of this Act.  
2     2. Loan payments or repayments and recaptures of principal,  
3 interest, or other moneys accruing to the authority on or after  
4 June 30, 2013, pursuant to an agreement under section 15.247,  
5 shall be transferred to a fund established by the authority in  
6 the state treasury under the control of the authority pursuant  
7 to section 15.106A, subsection 1, paragraph "o", to be used  
8 for the purposes of providing assistance to targeted small  
9 businesses pursuant to ~~subsection~~ subsections 3 and 4 of this  
10 section of this Act.

11     Sec. 8. 2013 Iowa Acts, chapter 13, section 10, subsection  
12 3, paragraph c, is amended to read as follows:

13     c. The authority shall, upon completion of the initial  
14 performance period and the other applicable terms of the  
15 agreement with the microloan service provider, submit a report  
16 to the general assembly and the governor's office describing  
17 the results achieved by the service provider and shall make  
18 recommendations as to whether the state should continue to  
19 provide funds for future fiscal years for the purpose of  
20 providing financial and technical assistance to targeted  
21 small businesses through the services of a microloan service  
22 provider. The report shall also include the results achieved  
23 by the program established to assist entities in developing a  
24 statewide initiative designed to increase the number of female  
25 entrepreneurs in the state pursuant to subsection 4.

26     Sec. 9. 2013 Iowa Acts, chapter 13, section 10, is amended  
27 by adding the following new subsection:

28     NEW SUBSECTION. 4. a. From the moneys transferred pursuant  
29 to subsections 1 and 2, the authority may use amounts not  
30 allocated for purposes of subsection 3 for purposes of this  
31 subsection.

32     b. The authority may establish a program to assist one  
33 or more private sector entities in implementing a multiyear  
34 statewide initiative designed to increase the number of female  
35 entrepreneurs in the state. Such an initiative shall target

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1 at least ten communities around the state, both urban and  
2 rural, for training and discussion on the personal, legal,  
3 and financial aspects of starting and operating a small  
4 business. The initiative shall also provide for individual  
5 mentoring, access to matched savings accounts intended to be  
6 used for the start or expansion of a small business by a female  
7 entrepreneur, and specialized topical workshops useful to  
8 female entrepreneurs.

9 c. A targeted small business owned, operated, and actively  
10 managed by one or more women that is receiving assistance under  
11 subsection 3 is also eligible to receive assistance under this  
12 subsection.

13 d. The program established pursuant to this subsection  
14 shall be implemented, to the extent practicable, in a manner  
15 that complements the program established pursuant to subsection  
16 3. Results achieved by the program established pursuant to  
17 this subsection shall be included in the report prepared  
18 pursuant to subsection 3.

19 Sec. 10. EFFECTIVE UPON ENACTMENT. This division of this  
20 Act, being deemed of immediate importance, takes effect upon  
21 enactment.

22 DIVISION III

23 STRATEGIC INFRASTRUCTURE PROGRAM

24 Sec. 11. Section 15.117A, subsection 6, Code 2014, is  
25 amended by adding the following new paragraph:

26 NEW PARAGRAPH. f. Review and make recommendations on all  
27 applications received by the authority for financial assistance  
28 under the Iowa strategic infrastructure program pursuant to  
29 section 15.313.

30 Sec. 12. Section 15.311, Code 2014, is amended to read as  
31 follows:

32 15.311 Title.

33 This part shall be known as the "*Iowa Strategic Investment*  
34 *Fund*" *Infrastructure* program.

35 Sec. 13. Section 15.313, subsection 1, Code 2014, is amended

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1 to read as follows:

2 1. ~~a. An Iowa strategic investment fund is created~~ The  
3 authority shall establish a fund pursuant to section 15.106A,  
4 subsection 1, paragraph "o", for purposes of financing  
5 strategic infrastructure projects as described in this  
6 section. A fund established for purposes of this section may  
7 be administered as a revolving fund consisting and may consist  
8 of any money moneys appropriated by the general assembly for  
9 that purpose purposes of this section and any other moneys  
10 that are lawfully available to and obtained or accepted by  
11 the authority, from the federal government or private sources  
12 for placement in the fund including moneys transferred or  
13 deposited from other funds created pursuant to section 15.106A,  
14 subsection 1, paragraph "o". Any moneys appropriated to a fund  
15 for purposes of this section shall be used for purposes of the  
16 strategic infrastructure program.

17 ~~b. Notwithstanding section 8.33, moneys in the strategic~~  
18 ~~investment a fund established for purposes of this section at~~  
19 ~~the end of each fiscal year shall not revert to any other fund~~  
20 ~~but shall remain in the strategic investment infrastructure~~  
21 ~~fund for expenditure for subsequent fiscal years.~~

22 ~~c. Moneys in a fund established for purposes of this~~  
23 ~~section, except for moneys appropriated to a fund for purposes~~  
24 ~~of this section, may be transferred to other funds created~~  
25 ~~pursuant to section 15.106A, subsection 1, paragraph "o".~~

26 Sec. 14. Section 15.313, subsection 2, unnumbered paragraph  
27 1, Code 2014, is amended to read as follows:

28 ~~The assets of the fund program shall be used by the authority~~  
29 ~~to assist in provide financial assistance for strategic~~  
30 ~~infrastructure projects that are intended to lead to relocation~~  
31 ~~or expansion projects for existing businesses as well as~~  
32 ~~entrepreneurial start-up and expansion projects financial~~  
33 ~~assistance for new businesses. Moneys in the fund shall~~  
34 ~~be used for projects designed to meet any of the following~~  
35 ~~purposes:~~

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1 Sec. 15. Section 15.313, subsection 2, paragraphs a, b, c,  
2 d, e, and f, Code 2014, are amended by striking the paragraphs.

3 Sec. 16. Section 15.313, Code 2014, is amended by adding the  
4 following new subsection:

5 NEW SUBSECTION. 2A. The Iowa innovation council shall  
6 review each application received by the economic development  
7 authority for financial assistance under the program and  
8 shall make recommendations to the board regarding all of the  
9 following:

10 a. The completeness of the application.

11 b. Whether the board should approve an application for  
12 financial assistance, and if so, the amount of such financial  
13 assistance.

14 Sec. 17. Section 15.313, subsection 3, Code 2014, is amended  
15 by striking the subsection and inserting in lieu thereof the  
16 following:

17 3. For purposes of this section, unless the context  
18 otherwise requires:

19 a. "*Financial assistance*" means the same as defined in  
20 section 15.102.

21 b. "*Strategic infrastructure*" means projects that develop  
22 commonly utilized assets that provide an advantage to one  
23 or more private sector entities or that create necessary  
24 physical infrastructure in the state, and such projects are  
25 not adequately provided by the public or private sectors.  
26 Such projects may include vertical improvement developments,  
27 facilities and equipment upgrades, or the redevelopment or  
28 repurposing of underutilized property or other assets, provided  
29 that each project is intended to attract additional public or  
30 private sector investment and result in broad-based prosperity  
31 in this state.

32 c. "*Vertical improvement*" means the same as defined in  
33 section 15J.2.

34 Sec. 18. Section 15.313, Code 2014, is amended by adding the  
35 following new subsection:

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1     NEW SUBSECTION. 4. The authority shall adopt rules to  
2 implement and administer this section. In adopting such rules,  
3 the authority shall narrowly construe the provisions of this  
4 section.

5     Sec. 19. Section 15.335B, subsection 2, paragraph a, Code  
6 2014, is amended by adding the following new subparagraph:

7     NEW SUBPARAGRAPH. (7) For deposit in a fund created for  
8 purposes of the strategic infrastructure program established  
9 pursuant to section 15.313.

10    Sec. 20. Section 384.4, subsection 1, paragraph b, Code  
11 2014, is amended to read as follows:

12    **b.** Interest as it becomes due and the amount necessary  
13 to pay, or to create a sinking fund to pay, the principal at  
14 maturity of all general obligation bonds issued by the city ~~or~~  
15 ~~to pay, or to create a sinking fund to pay, amounts as due on~~  
16 ~~loans received through the former Iowa community development~~  
17 ~~loan program pursuant to section 15E.120.~~

18    Sec. 21. 2011 Iowa Acts, chapter 133, section 13A, as  
19 enacted by 2013 Iowa Acts, chapter 142, section 7, is amended  
20 to read as follows:

21    SEC. 13A. TRANSITION UPON REPEAL.

22    1. Any moneys in the economic development fund created  
23 pursuant to section 15G.111, Code Supplement 2011, that  
24 remain unobligated on July 1, 2013, shall be transferred to  
25 the rebuild Iowa infrastructure fund. The authority shall  
26 provide notification to the department of management and to the  
27 legislative services agency at the time of the transfer.

28    2. Loan payments or repayments and recaptures of principal,  
29 interest, or other moneys accruing to the authority on or after  
30 July 1, 2013, pursuant to an agreement under chapter 15G,  
31 subchapter I, shall be transferred by the authority to a fund  
32 established by the authority in the state treasury pursuant to  
33 section 15.106A, subsection 1, paragraph "o".

34    3. The authority may use any moneys accruing pursuant to  
35 subsection 2 for purposes of section 15.313.



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1 Sec. 22. REPEAL. Section 15E.120, Code 2014, is repealed.

2 Sec. 23. EFFECTIVE UPON ENACTMENT. This division of this  
3 Act, being deemed of immediate importance, takes effect upon  
4 enactment.

5 Sec. 24. RETROACTIVE APPLICABILITY. The section of this  
6 division of this Act amending 2011 Iowa Acts, chapter 133,  
7 section 13A, as enacted by 2013 Iowa Acts, chapter 142, section  
8 7, applies retroactively to July 1, 2013.

9 DIVISION IV

10 ENDOW IOWA PROGRAM

11 Sec. 25. Section 15E.303, subsection 4, Code 2014, is  
12 amended to read as follows:

13 4. "*Endow Iowa qualified community foundation*" means a  
14 community foundation organized or operating in this state that  
15 ~~substantially complies with~~ attains the national standards  
16 established by the national council on foundations as  
17 determined by the authority in collaboration with the Iowa  
18 council of foundations.

19 DIVISION V

20 ECONOMIC DEVELOPMENT REGIONS

21 Sec. 26. Section 15E.231, unnumbered paragraph 1, Code  
22 2014, is amended to read as follows:

23 In order for an economic development region to receive  
24 assistance pursuant to section 15.335B, an economic development  
25 region's regional development plan must be approved by the  
26 authority. An economic development region shall consist of ~~not~~  
27 ~~less than three counties, unless two contiguous counties have a~~  
28 ~~combined population of at least three hundred thousand based on~~  
29 ~~the most recent federal decennial census~~ two or more contiguous  
30 counties and one or more public or private, nonprofit  
31 entities that have entered into an agreement to pursue  
32 mutual economic development goals with a regional focus. An  
33 economic development region shall establish a focused economic  
34 development effort that shall include a regional development  
35 plan relating to one or more of the following areas:

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1     Sec. 27. EFFECTIVE UPON ENACTMENT. This division of this  
2 Act, being deemed of immediate importance, takes effect upon  
3 enactment.

EXPLANATION

5           The inclusion of this explanation does not constitute agreement with  
6           the explanation's substance by the members of the general assembly.

7 This bill relates to economic development programs by  
8 modifying the administration of investment tax credits for  
9 investments in community-based seed capital funds or qualifying  
10 businesses, targeted small business assistance, the strategic  
11 investment fund program, and the endow Iowa program and  
12 properly related matters.

13 Division I of the bill eliminates the prohibition on a  
14 taxpayer claiming the investment tax credit for an equity  
15 investment in a qualifying business earlier than the third  
16 tax year following the tax year in which the investment was  
17 made. The bill eliminates the 24-month requirement for a  
18 qualifying business under the investment tax credits program  
19 to secure total equity or near equity financing and adds  
20 that a qualifying business may also use binding investment  
21 commitments, or a combination of the equity and investment  
22 commitments to demonstrate that it has met the requirement  
23 in current Code to secure at least \$250,000. The bill also  
24 changes the date by which a community-based seed capital fund  
25 must invest in a separate qualifying business from 48 months  
26 after commencing the fund's investing activities to 36 months  
27 after commencing the fund's investing activities.

28 Division I applies retroactively to January 1, 2014, for tax  
29 years beginning on or after that date and investments made on  
30 or after that date.

31 Division II of the bill allows moneys transferred from the  
32 targeted small business financial assistance program, which  
33 was repealed in the 2013 legislative session, that are not  
34 allocated for the procurement of a microloan service provider  
35 to assist targeted small businesses to be used to establish a

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1 program to assist one or more private entities in implementing  
2 an initiative to increase the number of female entrepreneurs in  
3 the state. A program created for this purpose must complement  
4 the current microloan service provider program which provides  
5 financial and technical assistance to targeted small businesses  
6 at a discounted rate. A targeted small business that is owned,  
7 operated, and managed by a woman and that is receiving the  
8 services of a microloan service provider may also receive  
9 assistance from the statewide initiative.

10 Division II takes effect upon enactment.

11 Division III of the bill makes changes to the strategic  
12 investment fund program. The bill changes the name of the  
13 program from the Iowa strategic investment fund program to the  
14 Iowa strategic infrastructure program, and allows the authority  
15 to establish a fund under its general authority for the purpose  
16 of financing strategic infrastructure projects.

17 Under current law, a strategic investment fund is created  
18 and the fund's assets are required to be used for relocation or  
19 expansion projects for existing businesses and entrepreneurial  
20 start-up and expansion projects that meet purposes specified in  
21 statute. The bill eliminates these provisions and requires the  
22 fund created by the authority to be used to provide financial  
23 assistance for relocation or expansion projects for existing  
24 businesses as well as financial assistance for new businesses.  
25 The bill requires moneys appropriated to the fund to be used  
26 for the purpose of the strategic infrastructure program, but  
27 allows other moneys in the fund to be transferred to other  
28 funds created by the authority. The bill provides definitions  
29 for "financial assistance", "strategic infrastructure", and  
30 "vertical improvement".

31 The bill requires the Iowa innovation council to review  
32 each application for financial assistance under the strategic  
33 infrastructure program and make a recommendation to the  
34 economic development authority board on whether the application  
35 is complete, whether the board should approve an application,

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1 and the amount of the financial assistance to be awarded, if  
2 any.

3 The bill repeals a provision relating to loan repayments  
4 under the former Iowa community development loan program that  
5 included a reference to the strategic investment fund.

6 The bill requires the authority to transfer loan payments  
7 or repayments and recaptures of principal, interest, or other  
8 moneys accruing to the authority as a result of an agreement  
9 made pursuant to Code chapter 15G, subchapter I, the grow  
10 Iowa financial assistance program, to a fund created by the  
11 authority. This provision of the bill applies retroactively to  
12 July 1, 2013. The bill allows the authority to use any moneys  
13 transferred pursuant to this provision of the bill for purposes  
14 of the strategic infrastructure program.

15 Division III of the bill takes effect upon enactment.

16 Division IV of the bill makes changes to the endow Iowa  
17 program. The bill requires an endow Iowa qualified community  
18 foundation to attain national standards established by the  
19 national council on foundations rather than substantially  
20 comply with those standards.

21 Division V of the bill modifies the definition of an economic  
22 development region to be two or more contiguous counties  
23 and one or more public or private, nonprofit entities that  
24 have entered into an agreement to pursue regional economic  
25 development goals. Under current law, an economic development  
26 region is defined as three or more counties or two contiguous  
27 counties with a population of at least 300,000 people.

28 Division V of the bill takes effect upon enactment.



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Senate Resolution 114 - Introduced

SENATE RESOLUTION NO. 114

BY DANIELSON, ANDERSON, BEALL, BEHN, BERTRAND, BLACK,  
BOETTGER, BOLKCOM, BOWMAN, BRASE, BREITBACH,  
CHAPMAN, CHELGREN, COURTNEY, DEARDEN, DIX, DOTZLER,  
DVORSKY, ERNST, FEENSTRA, GARRETT, GREINER,  
GRONSTAL, GUTH, HART, HATCH, HOGG, HORN, HOUSER,  
JOCHUM, JOHNSON, KAPUCIAN, MATHIS, MCCOY, PETERSEN,  
QUIRMBACH, RAGAN, ROZENBOOM, SCHNEIDER, SCHOENJAHN,  
SEGEBART, SENG, SINCLAIR, SMITH, SODDERS, TAYLOR,  
WHITVER, WILHELM, ZAUN, and ZUMBACH

1 A Resolution honoring amateur golfer Mike McCoy.

2 WHEREAS, Mike McCoy was born and raised in Des  
3 Moines, Iowa, taking up the game of golf in elementary  
4 school at A.H. Blank Municipal Golf Course; and

5 WHEREAS, Mr. McCoy has become one of the most  
6 decorated amateur golfers in the history of our state,  
7 earning the Iowa Player of the Year honor eleven times  
8 among many other accomplishments; and

9 WHEREAS, Mr. McCoy is currently ranked 16th in  
10 Golfweek's world amateur golf rankings; and

11 WHEREAS, along with his numerous other amateur  
12 tournament victories, Mr. McCoy won the 2013 United  
13 States Mid-Amateur Championship, which earned him an  
14 invitation to the 2014 Masters Tournament; and

15 WHEREAS, Mr. McCoy brought pride and honor to all of  
16 Iowa with his participation in this year's Masters; and

17 WHEREAS, the experience was especially memorable for  
18 Mr. McCoy because he was able to share it with his son,  
19 Nate, who caddied for him during the tournament; NOW  
20 THEREFORE,

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1 BE IT RESOLVED BY THE SENATE, That the Senate honors  
2 Mike McCoy on his incredible amateur career and his  
3 participation in this year's Masters Tournament in  
4 Augusta, Georgia.



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**Senate Study Bill 3220 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY  
CHAIRPERSON DVORSKY)

**A BILL FOR**

1 An Act relating to matters under the purview of the department  
2 of transportation, establishing a fee, and including  
3 effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I

2 HIGHWAYS

3 Section 1. Section 306.3, unnumbered paragraph 1, Code  
4 2014, is amended to read as follows:

5 As used in this chapter or in any chapter of the Code  
6 relating to highways, except as otherwise specified:

7 Sec. 2. Section 306C.1, subsection 2, Code 2014, is amended  
8 to read as follows:

9 2. "*Interstate highway*" includes "*interstate road*" and  
10 "*interstate system*" and means any highway of the primary  
11 national highway system at any time officially designated as a  
12 part of the national system of interstate and defense highways  
13 by the department and approved by the appropriate authority of  
14 the federal government.

15 Sec. 3. Section 306C.1, Code 2014, is amended by adding the  
16 following new subsection:

17 NEW SUBSECTION. 5. "*National highway system*" means the  
18 network designated by the federal highway administration in  
19 consultation with the state department of transportation, which  
20 consists of interconnected urban and rural principal arterials  
21 and highways that serve major population centers, ports,  
22 airports, public transportation facilities, other intermodal  
23 transportation facilities, and other major travel destinations;  
24 meet national defense requirements; and serve interstate and  
25 interregional travel.

26 Sec. 4. Section 306C.2, unnumbered paragraph 1, Code 2014,  
27 is amended to read as follows:

28 A person shall not establish, operate, or maintain a  
29 junkyard, any portion of which is within one thousand feet of  
30 the nearest edge of the right-of-way of any interstate highway  
31 on the national highway system, except:

32 Sec. 5. Section 306C.3, Code 2014, is amended to read as  
33 follows:

34 **306C.3 Junkyards lawfully in existence.**

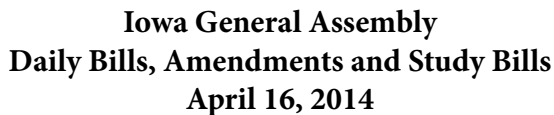
35 1. Any junkyard located outside a zoned or unzoned

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1 industrial area lawfully in existence on July 1, 1972,  
2 which is within one thousand feet of the nearest edge of  
3 the right-of-way and visible from the main-traveled portion  
4 of any highway on the interstate system shall be screened,  
5 if feasible, by the department, or by the owner under rules  
6 and direction of the department, at locations on the highway  
7 right-of-way or in areas acquired for such purposes outside  
8 the right-of-way in order to obscure the junkyard from the  
9 main-traveled way of such highways.

10 2. Any junkyard located outside a zoned or unzoned  
11 industrial area lawfully in existence on July 1, 2014, which  
12 is within one thousand feet of the nearest edge of the  
13 right-of-way and visible from the main-traveled portion of  
14 any noninterstate highway which is on the national highway  
15 system shall be screened, if feasible, by the department, or  
16 by the owner under rules and direction of the department, at  
17 locations on the highway right-of-way or in areas acquired for  
18 such purposes outside the right-of-way in order to obscure the  
19 junkyard from the main-traveled way of such highways.

20 Sec. 6. Section 306C.10, subsections 1, 2, 10, 13, and 20,  
21 Code 2014, are amended to read as follows:

22 1. "*Adjacent area*" means an area which is contiguous to  
23 and within six hundred sixty feet of the nearest edge of the  
24 right-of-way of any ~~interstate, freeway primary, or primary~~  
25 highway.

26 2. "*Advertising device*" includes any outdoor sign, display,  
27 device, figure, painting, drawing, message, placard, poster,  
28 billboard, or any other device designed, intended, or used to  
29 advertise or give information in the nature of advertising, and  
30 having the capacity of being visible from the traveled portion  
31 of any ~~interstate or primary~~ highway.

32 10. "*Interstate highway*" includes "*interstate road*" and  
33 "*interstate system*" and means any highway of the ~~primary~~  
34 national highway system at any time officially designated as a  
35 part of the national system of interstate and defense highways.



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1 by the department and approved by the appropriate authority of  
2 the federal government.

3 13. *"Primary highways"* ~~includes the entire primary system as~~  
4 ~~officially designated, or as may hereafter be so designated,~~  
5 ~~by the department~~ means all highways on the national highway  
6 system and all highways on the federal-aid primary system as it  
7 existed on June 1, 1991.

8 20. *"Unzoned commercial or industrial area"* means those areas  
9 not zoned by state or local law, regulation, or ordinance,  
10 which are occupied by one or more commercial or industrial  
11 activities, and the land along the ~~interstate highways and~~  
12 primary highways for a distance of seven hundred fifty feet  
13 immediately adjacent to the activities. All measurements  
14 shall be from the outer edge of the regularly used buildings,  
15 parking lots, storage, or processing areas of the activities  
16 and shall be parallel to the edge of pavement of the highway.  
17 Measurements shall not be from the property line of the  
18 activities unless that property line coincides with the limits  
19 of the activities. Unzoned commercial or industrial areas  
20 shall not include land on the opposite side of the highway from  
21 the commercial or industrial activities.

22 Sec. 7. Section 306C.10, Code 2014, is amended by adding the  
23 following new subsection:

24 NEW SUBSECTION. 12A. *"National highway system"* means the  
25 network designated by the federal highway administration in  
26 consultation with the state department of transportation, which  
27 consists of interconnected urban and rural principal arterials  
28 and highways that serve major population centers, ports,  
29 airports, public transportation facilities, other intermodal  
30 transportation facilities, and other major travel destinations;  
31 meet national defense requirements; and serve interstate and  
32 interregional travel.

33 Sec. 8. Section 306C.12, Code 2014, is amended to read as  
34 follows:

35 **306C.12 None visible from highway.**



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1 An advertising device shall not be constructed or  
2 reconstructed beyond the adjacent area in unincorporated areas  
3 of the state if it is visible from the main-traveled way of  
4 any ~~interstate or~~ primary highway except for advertising  
5 devices permitted in section 306C.11, subsections 1 and 2.  
6 Any advertising device permitted beyond an adjacent area in  
7 unincorporated areas of the state shall be subject to the  
8 applicable permit provisions of section 306C.18.

9 Sec. 9. Section 306C.13, subsections 2, 3, 4, and 5, Code  
10 2014, are amended to read as follows:

11 2. Advertising devices located within the adjacent  
12 area of nonfreeway primary highways shall not be erected or  
13 maintained closer to another advertising device facing in the  
14 same direction than one hundred feet if inside the corporate  
15 limits of a municipality. No advertising device, other than  
16 as excepted or permitted by ~~subsections~~ subsection 4, 5, or 6  
17 ~~of this section~~, shall be located within the triangular area  
18 formed by the line connecting two points each fifty feet back  
19 from the point where the street right-of-way lines of the  
20 main-traveled way and the intersecting street meet, or would  
21 meet, if extended.

22 3. Advertising devices located within the adjacent area of  
23 nonfreeway primary highways shall not be erected or maintained  
24 closer to another advertising device facing in the same  
25 direction than three hundred feet if outside the corporate  
26 limits of a municipality. No advertising device, other than  
27 those excepted or permitted by ~~subsections~~ subsection 4, 5, or  
28 6 ~~of this section~~, shall be located within the triangular area  
29 formed by a line connecting two points each one hundred feet  
30 back from the point where the street right-of-way lines of the  
31 main-traveled way and the intersecting street meet, or would  
32 meet, if extended.

33 4. The distance spacing measurements fixed by subsections 2  
34 and 3 ~~of this section~~ shall not apply to advertising devices  
35 which are separated by a building in such a manner that only

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1 one advertising device located within the minimum spacing  
2 distance is visible from a highway at any one time.

3 5. Within a triangular area, as defined by subsections 2  
4 and 3 ~~of this section~~, occupied by a building or structure, no  
5 advertising device shall be erected or maintained closer to the  
6 intersection than the building or structure itself, except that  
7 a wall advertising device may be attached to said building or  
8 structure not to protrude more than twelve inches.

9 Sec. 10. Section 306C.13, subsection 8, paragraph g, Code  
10 2014, is amended to read as follows:

11 g. The standards contained in this section pertaining to  
12 size, lighting, and spacing shall not apply to advertising  
13 devices erected or maintained within six hundred sixty feet  
14 of the right-of-way of those portions of the interstate  
15 highway system exempted from control under chapter 306B by  
16 authority of section 306B.2, subsection 4, nor to advertising  
17 devices erected and maintained within adjacent areas along  
18 noninterstate primary highways within zoned and unzoned  
19 commercial and industrial areas, unless said advertising  
20 devices were erected subsequent to July 1, 1972.

21 DIVISION II

22 MISCELLANEOUS PROVISIONS

23 Sec. 11. Section 321.50, subsection 5, Code 2014, is amended  
24 by adding the following new paragraph:

25 NEW PARAGRAPH. d. For purposes of this subsection, a  
26 security interest noted on an Iowa certificate of title and  
27 appearing in the statewide computer system and the county's  
28 records shall be presumed to be discharged upon presentation of  
29 a valid certificate of title subsequently issued by a foreign  
30 jurisdiction on which the security interest is no longer noted.

31 Sec. 12. Section 321.176A, subsection 1, Code 2014, is  
32 amended to read as follows:

33 1. A farmer or a person working for a farmer while operating  
34 ~~a commercial motor vehicle controlled by the farmer within one~~  
35 ~~hundred fifty air miles of the farmer's farm to transport the~~

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1 ~~farmer's own agricultural products, farm machinery, or farm~~  
2 ~~supplies to or from the farm~~ covered farm vehicle as defined  
3 in the federal Moving Ahead for Progress in the 21st Century  
4 Act, Pub. L. No. 112-141, §32934. The exemption provided in  
5 this subsection shall apply to farmers who assist each other  
6 through an exchange of services and shall include operation of  
7 a commercial motor vehicle between the farms of the farmers who  
8 are exchanging services.

9 Sec. 13. Section 321.187, Code 2014, is amended to read as  
10 follows:

11 **321.187 Examiners.**

12 1. The department shall examine applicants for driver's  
13 licenses. Examiners of the department shall wear an  
14 identifying badge and uniform provided by the department.

15 2. The department may by rule designate community colleges  
16 established under chapter 260C and other third-party testers to  
17 administer the driving skills test required for a commercial  
18 driver's license, provided that all of the following occur:

19 a. The driving skills test is the same as that which would  
20 otherwise be administered by the state.

21 b. The ~~examiner~~ third-party tester contractually agrees to  
22 comply with the requirements of 49 C.F.R. §383.75 as adopted by  
23 rule by the department.

24 c. Any third-party skills test examiner used by the  
25 third-party tester shall meet the requirements of 49 C.F.R.  
26 §383.75 and 49 C.F.R. §384.228, as adopted by rule by the  
27 department. The department shall adopt rules requiring that a  
28 third-party tester, other than a community college established  
29 under chapter 260C, shall be an Iowa-based motor carrier, or  
30 its subsidiary, that has its principal office within this state  
31 and operates a permanent commercial driver training facility  
32 in this state. The rules may also provide that a third-party  
33 tester conduct a number of skills test examinations above the  
34 number required under 49 C.F.R. §383.75 in order to remain  
35 qualified as a third-party tester under this section.



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1     3. As used in this section, "third-party tester" and  
2     "third-party skills test examiner" mean as defined in 49 C.F.R.  
3     §383.5.

4     Sec. 14. Section 321.257, subsection 2, paragraphs g and h,  
5 Code 2014, are amended to read as follows:

6     g. A "don't walk" or "steady upraised hand" light is a  
7 pedestrian signal which means that pedestrian traffic facing  
8 the illuminated pedestrian signal shall not start to cross  
9 the roadway in the direction of the pedestrian signal, and  
10 pedestrian traffic in the crossing shall proceed to a safety  
11 zone.

12    h. A "walk" or "walking person" light is a pedestrian signal  
13 which means that pedestrian traffic facing the illuminated  
14 pedestrian signal may proceed to cross the roadway in the  
15 direction of the pedestrian signal and shall be given the  
16 right-of-way by drivers of all vehicles.

17    Sec. 15. Section 321.257, subsection 2, Code 2014, is  
18 amended by adding the following new paragraphs:

19    NEW PARAGRAPH. 0g. A "flashing yellow arrow" light shown  
20 alone or with another official traffic-control signal means  
21 vehicular traffic may cautiously enter the intersection  
22 and proceed only in the direction indicated by the arrow.  
23 Vehicular traffic shall yield the right-of-way to other  
24 vehicles and pedestrians lawfully within the intersection and  
25 any vehicle on the opposing approach which is approaching so  
26 closely as to constitute an immediate hazard during the time  
27 the driver is moving within the intersection.

28    NEW PARAGRAPH. 0h. A "flashing upraised hand" or "upraised  
29 hand with countdown" light is a pedestrian signal which means  
30 that pedestrian traffic facing the illuminated pedestrian  
31 signal shall not start to cross the roadway in the direction of  
32 the pedestrian signal, and pedestrian traffic in the crossing  
33 shall proceed to a safety zone. The "upraised hand with  
34 countdown" light is a pedestrian signal that also provides the  
35 time remaining for the pedestrian to complete the crossing.



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1 Sec. 16. Section 321.258, Code 2014, is amended to read as  
2 follows:

3 **321.258 Arrangement of lights on official traffic-control**  
4 **signals.**

5 1. Colored lights placed on a vertical official  
6 traffic-control signal face shall be arranged from the top to  
7 the bottom in the following order when used:

- 8 a. Circular red, ~~circular.~~
- 9 b. Steady and/or flashing left-turn red arrow.
- 10 c. Steady and/or flashing right-turn red arrow.
- 11 d. Circular yellow, ~~circular.~~
- 12 e. Circular green, ~~straight through yellow arrow, straight~~  
13 through.
- 14 f. Straight-through green arrow, ~~left turn.~~
- 15 g. Steady left-turn yellow arrow, ~~left turn.~~
- 16 h. Flashing left-turn yellow arrow.
- 17 i. Left-turn green arrow, ~~right turn.~~
- 18 j. Steady right-turn yellow arrow, ~~and right turn.~~
- 19 k. Flashing right-turn yellow arrow.
- 20 l. Right-turn green arrow.

21 2. Colored lights placed on a horizontal official  
22 traffic-control signal face shall be arranged from the left to  
23 the right in the following order when used:

- 24 a. Circular red, ~~circular.~~
- 25 b. Steady and/or flashing left-turn red arrow.
- 26 c. Steady and/or flashing right-turn red arrow.
- 27 d. Circular yellow, ~~left turn.~~
- 28 e. Steady left-turn yellow arrow, ~~left turn.~~
- 29 f. Flashing left-turn yellow arrow.
- 30 g. Left-turn green arrow, ~~circular.~~
- 31 h. Circular green, ~~straight through yellow.~~
- 32 i. Straight-through green arrow, ~~straight through green.~~
- 33 j. Steady right-turn yellow arrow, ~~right turn.~~
- 34 k. Flashing right-turn yellow arrow, ~~and right turn.~~
- 35 l. Right-turn green arrow.





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1     Sec. 17. NEW SECTION.   **328.13 Commercial air service**  
2 **retention and expansion committee.**

3     A commercial air service retention and expansion committee  
4 is established within the aviation office of the department.  
5 The membership of the committee shall consist of the director  
6 or the director's designee; the managers of each airport in  
7 Iowa with commercial air service; two members of the senate,  
8 one appointed by the majority leader of the senate and one  
9 appointed by the minority leader of the senate; and two members  
10 of the house of representatives, one appointed by the speaker  
11 of the house and one appointed by the minority leader of the  
12 house. Legislative members are eligible for per diem and  
13 expenses as provided in section 2.10, for each day of service.  
14 The committee shall, on or before December 31, 2014, develop a  
15 plan for the retention and expansion of passenger air service  
16 in Iowa. The committee shall meet as the committee deems  
17 necessary to assess progress in implementing the plan and, if  
18 necessary, to update the plan.

19     Sec. 18. Section 328.24, unnumbered paragraph 1, Code 2014,  
20 is amended to read as follows:

21     If, during the year for which an aircraft, except  
22 nonresident aircraft used for the application of herbicides  
23 and pesticides, was registered and the required fee paid, the  
24 aircraft is destroyed by fire or accident or junked, and its  
25 identity as an aircraft entirely eliminated, or it the aircraft  
26 is removed and continuously used beyond the boundaries of the  
27 state, then the owner in whose name it was registered at the  
28 time of destruction, dismantling, or removal from the state  
29 shall return the certificate of registration to the department  
30 within ~~ten~~ thirty days and make affidavit of the destruction,  
31 dismantling, or removal and make claim for the refund. The  
32 refund shall be paid from the general fund of the state.

33     Sec. 19. 2012 Iowa Acts, chapter 1129, section 4, is amended  
34 to read as follows:

35     SEC. 4. ROAD USE TAX FUND EFFICIENCY MEASURES

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1 — ~~QUARTERLY~~ ANNUAL REPORTS. The department of transportation  
2 shall submit ~~quarterly reports~~ a report annually on or before  
3 December 31 in an electronic format to the co-chairpersons  
4 of the joint appropriations subcommittee on transportation,  
5 infrastructure, and capitals, the chairpersons of the senate  
6 and house standing committees on transportation, the department  
7 of management, and the legislative services agency regarding  
8 the implementation of efficiency measures identified in the  
9 "Road Use Tax Fund Efficiency Report", January 2012. The  
10 reports shall provide details of activities undertaken in  
11 the previous ~~quarter~~ year relating to one-time and long-term  
12 program efficiencies and partnership efficiencies. Issues to  
13 be covered in the reports shall include but are not limited  
14 to savings realized from the implementation of particular  
15 efficiency measures; updates concerning measures that have  
16 not been implemented; efforts involving cities, counties,  
17 other jurisdictions, or stakeholder interest groups; any  
18 new efficiency measures identified or undertaken; and  
19 identification of any legislative action that may be required  
20 to achieve efficiencies. ~~The first report shall be submitted~~  
21 ~~by October 1, 2012.~~

22 Sec. 20. INTERSECTION REPORT. By October 1, 2014, the  
23 county engineer of each county shall provide a report to  
24 the department of transportation identifying all locations  
25 in the county where two different roads or highways having  
26 speed limits of 55 miles per hour or greater intersect but  
27 are not controlled by an official traffic-control signal  
28 or by official traffic-control devices that direct traffic  
29 approaching from every direction to stop or yield before  
30 entering the intersection. On or before December 31, 2014, the  
31 department shall file a report with the legislative services  
32 agency detailing the number and locations of the intersections  
33 identified in the county engineers' reports.

34 Sec. 21. FUTURE REPEAL. The section of this division of  
35 this Act amending section 321.187 is repealed five years after

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1 the effective date of this division of this Act.

2 Sec. 22. EFFECTIVE UPON ENACTMENT. The following provision  
3 of this division of this Act, being deemed of immediate  
4 importance, takes effect upon enactment:

5 1. The section of this division of this Act amending section  
6 321.187.

7 DIVISION III

8 MOTOR VEHICLE DEALERS

9 Sec. 23. Section 321.48, Code 2014, is amended by adding the  
10 following new subsection:

11 NEW SUBSECTION. 2A. Notwithstanding subsections 1 and 2,  
12 requirements in those subsections for obtaining title to a  
13 vehicle or acknowledging assignment and warranty of title do  
14 not apply to a dealer who sells a motor vehicle to a purchaser  
15 in a consignment transaction authorized under section 322.7B.

16 Sec. 24. Section 321.57, subsection 1, Code 2014, is amended  
17 to read as follows:

18 1. A dealer owning any vehicle of a type otherwise  
19 required to be registered under this chapter may operate or  
20 move the vehicle upon the highways solely for purposes of  
21 transporting, testing, demonstrating, or selling the vehicle  
22 without registering the vehicle, upon condition that the  
23 vehicle display in the manner prescribed in sections 321.37  
24 and 321.38 a special plate issued to the owner as provided in  
25 sections 321.58 through 321.62. A dealer may operate or move  
26 upon the highways a vehicle owned by the dealer for either  
27 private or business purposes, including hauling a load or  
28 towing a trailer, without registering it if the vehicle is in  
29 the dealer's inventory and is continuously offered for sale at  
30 retail, and there is displayed on it a special plate issued to  
31 the dealer as provided in sections 321.58 through 321.62. A  
32 dealer may operate or move upon the highways an unregistered  
33 vehicle owned by a lessor licensed pursuant to chapter 321F  
34 solely for the purpose of delivering the vehicle to the owner  
35 or transporting the vehicle to or from an auction if there is

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1 displayed on the vehicle a special plate issued to the dealer  
2 as provided in sections 321.58 through 321.62.

3 Sec. 25. Section 321.60, Code 2014, is amended to read as  
4 follows:

5 **321.60 Issuance of special plates.**

6 The department shall ~~also~~ issue special plates as applied  
7 for, which shall display the general distinguishing number  
8 assigned to the applicant. Each plate so issued shall  
9 also contain a number or symbol identifying the plate and  
10 distinguishing it from every other plate bearing the same  
11 general distinguishing number. The fee for each special plate  
12 is forty dollars for a two-year period or part thereof. The  
13 fee for a special plate used on a vehicle that is hauling a  
14 load or towing a trailer is seven hundred fifty dollars for a  
15 two-year period or part thereof.

16 Sec. 26. Section 321.69A, subsection 1, paragraph a,  
17 subparagraph (2), Code 2014, is amended to read as follows:

18 (2) The actual cost of any labor or parts charged to or  
19 performed by the dealer for any such repairs, adjustments, or  
20 parts does not exceed four percent of the ~~dealer's adjusted~~  
21 cost manufacturer's suggested retail price.

22 Sec. 27. Section 321.69A, subsections 2 and 3, Code 2014,  
23 are amended to read as follows:

24 2. A person licensed as a new motor vehicle dealer pursuant  
25 to chapter 322 shall disclose in writing, at or before the  
26 time of sale or lease, to the buyer or lessee of a new motor  
27 vehicle that the vehicle has been subject to any repairs of  
28 damage to or adjustments on or replacements of parts with new  
29 parts if the actual cost of any labor or parts charged to or  
30 performed by the dealer for any such repairs, adjustments,  
31 or parts exceeds four percent of the ~~dealer's adjusted cost~~  
32 manufacturer's suggested retail price. The written disclosure  
33 shall include the signature of the buyer or lessee and be in  
34 a form and in a format approved by the attorney general by  
35 rule. A dealer shall retain a copy of each written disclosure

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1 issued pursuant to this section for five years from the date  
2 of issuance.

3 3. As used in this section, ~~"dealer's adjusted cost"~~  
4 "manufacturer's suggested retail price" means the amount paid by  
5 the dealer to the manufacturer or other source for the vehicle,  
6 including any freight charges, but excluding any sum paid by  
7 the manufacturer to the dealer as a holdback or other monetary  
8 incentive relating to the vehicle required to be disclosed by a  
9 dealer pursuant to 15 U.S.C. §1232(f)(4).

10 Sec. 28. Section 321.105A, subsection 2, paragraph c,  
11 subparagraph (14), Code 2014, is amended to read as follows:

12 (14) Vehicles purchased by a licensed motor vehicle dealer  
13 for resale or primarily for use by the dealer's customers while  
14 the customers' vehicles are being serviced or repaired by the  
15 dealer.

16 Sec. 29. NEW SECTION. 322.7B Consignment sales of motor  
17 trucks.

18 A licensed motor vehicle dealer may sell a used motor truck  
19 on a consignment basis if all of the following conditions  
20 apply:

21 1. The dealer is licensed to sell used motor vehicles.

22 2. The motor truck offered for sale has a gross vehicle  
23 weight rating of twenty-six thousand one or more pounds.

24 3. The dealer prominently displays the words "consignment  
25 vehicle" on the motor truck and indicates clearly in the sales  
26 documentation that the motor truck is a consignment vehicle.  
27 The dealer shall put customers on notice that the dealer does  
28 not have title to the vehicle and does not warranty the title.

29 4. The purchaser certifies to the dealer that the person is  
30 either a corporation, limited liability company, or partnership  
31 or a person who files a schedule C or schedule F form for  
32 federal income tax purposes, and that the motor truck is being  
33 purchased for business purposes, and not for personal use.

34 5. The dealer assumes no liability for damages resulting  
35 from a customer's test drive of the motor truck, and the

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1 consignor maintains financial liability coverage as required  
2 under section 321.20B or 325A.6, as appropriate, for the motor  
3 truck throughout the term of the consignment.

4 Sec. 30. Section 322.9, subsection 2, paragraphs a, b, and  
5 c, Code 2014, are amended to read as follows:

6 a. Failing upon the sale or transfer of a vehicle, except  
7 upon the sale of a vehicle under section 322.7B, to deliver to  
8 the purchaser or transferee of the vehicle sold or transferred,  
9 a manufacturer's or importer's certificate, or a certificate of  
10 title duly assigned, as provided in chapter 321.

11 b. Failing upon the purchasing or otherwise acquiring of a  
12 vehicle, except a vehicle acquired on consignment under section  
13 322.7B, to obtain a manufacturer's or importer's certificate,  
14 or a certificate of title duly assigned as provided in chapter  
15 321.

16 c. Failing upon the purchasing or otherwise acquiring of a  
17 vehicle, except a vehicle acquired on consignment under section  
18 322.7B, to obtain a new certificate of title to such vehicle  
19 when and where required in chapter 321.

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with  
22 the explanation's substance by the members of the general assembly.

23 This bill contains provisions relating to matters under the  
24 purview of the department of transportation (DOT).

25 DIVISION I — HIGHWAYS. Under current law, the DOT has  
26 the responsibility for regulating junkyards along interstate  
27 highways. This bill extends the scope of that responsibility  
28 to include all highways on the national highway system. The  
29 national highway system is designated by the federal highway  
30 administration in consultation with the DOT and consists of  
31 certain interconnected urban and rural principal arterials and  
32 highways.

33 The bill prohibits the establishment, operation, or  
34 maintenance of a junkyard within 1,000 feet of the nearest  
35 edge of the right-of-way of any highway on the national

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1 highway system unless the junkyard is not visible from the  
2 main-traveled portion of the highway or is screened from view;  
3 is located within areas zoned for industrial use; or is located  
4 in an unzoned industrial area defined by DOT regulations.  
5 However, a junkyard in a zoned or unzoned industrial area  
6 lawfully in existence on July 1, 2014, which is within 1,000  
7 feet of the right-of-way and visible from the main-traveled  
8 portion of the highway shall be screened, if feasible, by the  
9 DOT or by the owner at the direction of the DOT.

10 Under current law, the DOT regulates billboards along  
11 interstates and primary highways. The bill expands the scope  
12 of that regulation by redefining "primary highways" to include  
13 all highways on the national highway system and all highways  
14 on the federal-aid primary system as it existed on June 1,  
15 1991. Certain restrictions on the placement of advertising  
16 devices are amended to narrow the application to nonfreeway or  
17 noninterstate primary highways.

18 DIVISION II — MISCELLANEOUS PROVISIONS. Code section  
19 321.50 is amended to provide that when a security interest is  
20 noted on an Iowa certificate of title and in the statewide  
21 computer system and the county's records, it can be presumed  
22 that the security interest has been discharged upon the  
23 presentation of a valid certificate of title subsequently  
24 issued by the foreign jurisdiction on which the security  
25 interest is no longer noted.

26 The bill amends a provision in Code section 321.176A which  
27 describes the exemption from commercial driver's license  
28 requirements that applies to farmers and persons working for  
29 farmers. The bill states that the exemption applies to a  
30 farmer or a person working for a farmer while operating a  
31 covered farm vehicle as defined in the 2012 federal Moving  
32 Ahead for Progress in the 21st Century Act, also known as  
33 MAP-21, which authorizes surface transportation funding.

34 The bill amends Code section 321.187 to allow third-party  
35 testers to administer the driving skills test required for a



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1 commercial driver's license, provided the third-party tester  
2 administers the same test as that which would be administered  
3 by the state and complies with federal regulations for testing  
4 which are adopted by the department by rule. A skills test  
5 examiner used by a third-party tester must also meet federal  
6 requirements. The DOT is directed to adopt rules requiring  
7 that a third-party tester, other than a community college,  
8 be an Iowa-based motor carrier, or its subsidiary, whose  
9 principal office is within this state and that operates a  
10 permanent commercial driver training facility in this state.  
11 The rules may also require a third-party tester to conduct a  
12 number of skills test examinations above the number required  
13 under federal law in order to remain qualified as a third-party  
14 tester. The changes to Code section 321.187 take effect upon  
15 enactment and are repealed five years later.

16 The bill amends Code section 321.257 to describe new colored  
17 lights and lighted symbols used on official traffic-control  
18 signals. The "steady upraised hand" light means the same as  
19 the "don't walk" light, and the "walking person" light means  
20 the same as the "walk" light. The "flashing upright hand"  
21 and the "upraised hand with countdown" lights are pedestrian  
22 signals that indicate when to wait before crossing or proceed  
23 to a safety zone, and the "upraised hand with countdown"  
24 light also indicates the time remaining for the pedestrian to  
25 complete the crossing. The "flashing yellow arrow" light means  
26 vehicular traffic may cautiously enter the intersection and  
27 proceed in the direction indicated by the arrow, but must yield  
28 the right-of-way to other vehicles and pedestrians lawfully in  
29 the intersection or approaching closely.

30 The bill amends Code section 321.258 to update descriptions  
31 of the arrangement of lights on official traffic-control  
32 signals. The bill adds steady and/or flashing left-turn  
33 and right-turn red arrows, steady left-turn yellow arrows,  
34 and flashing left-turn yellow arrows to the prescribed  
35 arrangements.





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1 The bill enacts new Code section 328.13 establishing a  
2 commercial air service retention and expansion committee within  
3 the aviation office of the DOT. Members of the committee  
4 include representatives from the DOT, commercial airports,  
5 and the general assembly. The charge of the committee is  
6 to develop a plan on or before December 31, 2014, for the  
7 retention and expansion of passenger air service in Iowa and to  
8 meet as necessary to assess progress in implementing the plan  
9 and if necessary to update the plan.

10 Under current law, when an aircraft that was registered  
11 in this state is destroyed by fire or accident or junked and  
12 its identity as an aircraft entirely eliminated, or when the  
13 aircraft is removed from the state, the owner has 10 days in  
14 which to return the certificate of title and claim a refund  
15 of the registration fee. The bill extends the deadline to 30  
16 days.

17 Pursuant to 2012 Iowa Acts, chapter 1129, section 4, the DOT  
18 is currently required to submit quarterly reports regarding  
19 the implementation of efficiency measures identified in the  
20 "Road Use Tax Fund Efficiency Report", January 2012, and any  
21 new efficiency measures identified or undertaken. The bill  
22 requires the efficiency reports to be submitted annually by  
23 December 31, instead of quarterly.

24 The bill requires the engineer of each county to provide a  
25 report to the DOT by October 1, 2014, identifying all locations  
26 in the county where two different roads or highways with a  
27 speed limit of 55 miles per hour or greater intersect but  
28 are not controlled by an official traffic-control signal or  
29 official traffic-control devices in all directions. The DOT is  
30 directed to file a report with the legislative services agency  
31 by December 31, 2014, detailing the number and locations of the  
32 intersections identified in the county engineers' reports.

33 DIVISION III — MOTOR VEHICLE DEALERS. Current law allows a  
34 motor vehicle dealer to operate a vehicle owned by the dealer  
35 for either private or business purposes without registering

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1 the vehicle, provided the vehicle is in the dealer's inventory  
2 and is continuously offered for sale at retail and the vehicle  
3 displays a special dealer plate. The fee for a special dealer  
4 plate is \$40 for a two-year period. The bill allows such a  
5 vehicle to be used to haul a load or tow a trailer. The bill  
6 establishes a fee of \$750 for a two-year period for a special  
7 dealer plate to be displayed on a vehicle used to haul a load  
8 or tow a trailer.

9 Current law requires a new motor vehicle dealer to  
10 disclose to a buyer if the vehicle has had any damage repairs,  
11 adjustments on parts, or replacement of parts if the cost of  
12 the repairs, adjustments, or replacement exceeds 4 percent  
13 of the dealer's adjusted cost. The bill changes the measure  
14 requiring disclosure to be an amount that exceeds 4 percent of  
15 the manufacturer's suggested retail price.

16 The bill provides an exemption from the fee for new  
17 registration for vehicles primarily used by a dealer's  
18 customers while the customer's vehicles are being serviced  
19 or repaired by the dealer. Currently, the exemption is only  
20 available for vehicles purchased by a dealer for resale.

21 The bill allows a licensed motor vehicle dealer to sell  
22 used motor trucks with a gross vehicle weight rating of  
23 26,001 or more pounds on a consignment basis. The dealer  
24 must be licensed to sell used vehicles, and the purchaser  
25 must be either a corporation or other business entity that  
26 is purchasing the vehicle for a business purpose. A vehicle  
27 being sold on consignment must be prominently labeled as a  
28 consignment vehicle; the sales documentation must clearly  
29 indicate that the vehicle is being sold on consignment; and the  
30 dealer must put customers on notice that the dealer does not  
31 have title to the vehicle or warranty the title. The consignor  
32 is required to maintain appropriate financial liability  
33 coverage for the vehicle, and the dealer assumes no liability  
34 for damages resulting from a test drive. In a consignment  
35 transaction authorized under the bill, a dealer is exempt from

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1 the requirement to obtain a title to the vehicle and to assign  
2 and warrant the title to the purchaser.